Public Notice
Tennessee Department of Environment and Conservation (TDEC)
Division of Water Resources (DWR)
Notice Requesting Public Comments on Draft Permit Actions and
Notice of Public Hearing

File # NRS26.123

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. § 69-3-101 to -148 and Tennessee Rule 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.

Applicant

Tennessee Department of Transportation
c/o Robbie Stephens
William R. Snodgrass Tennessee Tower – 14th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243
(615) 924-1902

Location

I-24 from I-40 in Davidson County to I-840 in Rutherford County, Tennessee

Latitude at Project Midpoint: 36.01414, Longitude at Project Midpoint: -86.62055

59 streams and 33 wetlands, Ecoregions 71i and 71h, impacts in Lower Cumberland – Cheatham Lake and Stones River watersheds

To view the proposed location of these impacts and the watershed condition, visit the Division's Mapviewer and search on the permit number or coordinates listed in this Public Notice.

Project Description / Purpose

Impacts to 59 streams and 33 wetlands associated with the improvements along 26.62 miles of Interstate 24 for the addition of Choice Lanes. New impacts to 4,168 linear feet of streams cumulative with previous impacts totaling 4,568 functional feet debits will be offset through purchase of 1,858.5 functional foot credits from Henry Creek Mitigation Bank and Permittee Responsible Mitigation at Buzzard Branch PRM site (authorized under NRS25.204). 1.928 acres of isolated and non-isolated wetlands will be permanently impacted and 0.489 acres of temporary impacts. To offset permanent impacts to 0.48 acres of non-isolated wetlands in the Stones River watershed (HUC 05130203), the permittee shall purchase wetland mitigation credits at a 2:1 ratio (a total of 0.96 credits) from Christmas Creek Mitigation Bank. To offset permanent impacts to 0.039 acres of non-isolated wetlands in the Lower Cumberland – Cheatham Lake watershed (HUC 05130202), the permittee shall purchase wetland mitigation credits at a 2:1 ratio (a total of 0.078 credits) and conversion of 0.3454 acres non-isolated forested wetlands at a 0.7:1 ratio (a total of 0.2418 credits) from Swamp Road Mitigation Bank.

Permit Coordinator

Alicia Griffith
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Antidegradation

The affected waters have available parameters for habitat, have unavailable parameters for habitat, and are Exceptional Tennessee Waters. As described in the accompanying permit rationale, the Department has made a preliminary determination that the proposed activity will result in no signification degradation, *de minimis* degradation, or greater than *de minimis* degradation.

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. In addition, the Division will consider whether more than *de minimis* degradation is justified by important social or economic development in the area. In making this decision, a final determination will be made evaluating appreciable permanent loss of resource values and proposed compensatory mitigation to ensure the project will not result in no overall net loss of state water resources values.

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 quality decisions. Persons wishing to comment on the proposal are invited to submit written comments to the Division. Written comments must be received within **ten days following the scheduled public hearing, December 17 at 4:30 p.m. central time**. 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 and to the attention of the permit coordinator. You may also comment via email to ARAP.permits@tn.gov. You may also provide comment at the public hearing during the formal hearing session.

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 can provide translation or interpretation services free of charge by contacting Brian Canada at 615-979-1406 or Brian.Canada@tn.gov.

Si le resulta difícil leer, hablar o comprender inglés, TDEC puede proporcionarle servicios de traducción o interpretación sin cargo comunicándose con Brian Canada al 615-979-1406 o Brian.Canada@tn.gov.

Public Hearing

In accordance with Rule 0400-40-07.04(4), the Division has scheduled a public hearing regarding the permit application listed above to allow the public to provide comments on water quality issues that could occur from this project. This public hearing was requested by the applicant in recognition of the potential for a significant public interest in this proposal. Prior to opening the formal public hearing, an informational session will be held with TDEC staff. The informational session will have a question-and-answer format where the public can ask questions of TDEC staff and the permit applicant. After the informational session, the formal hearing will begin. Once the formal public hearing begins, the question-and-answer format will end, and all public comments will be collected for the hearing record without response. TDEC staff will provide written responses to all oral and written comments obtained during the public comment period and provide responses concurrently with the permit determination.

Date: December 7, 2026
Time: Informational Session- 5: 30 p.m. Central Time
Formal hearing- 6:00 p.m. Central Time
Location: Smyrna Community Center, Ballroom B, 100 Sam Ridley Pkwy E, Smyrna, TN 37167

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 Water Resources Permits Dataviewer by entering the permit file number listed in the title of this Public Notice. The file may be viewed and copied at the permit coordinator address listed above.