

Tennessee Department of Environment and Conservation

Tennessee's 2026 List of Impaired and Threatened Waters

Summary of Public Comments and Departmental Responses

(Note: Comments submitted during the public review period regarding topics not directly related to the *Tennessee 2026 List of Impaired and Threatened Waters* are not included in this document. Comments about water quality standards have only been included if related to a specific assessment. In some instances, public comments have been summarized in order to group similar observations by multiple reviewers.)

General Comments

General Comment 1: *TDEC needs to remove the “More information about the TMDL Vision is available at <http://www.tn.gov/environment/article/wr-ws-tmdl-new-vision>” statement from TMDL priority rationale spreadsheet tab because the link is broken.*

Response: The commentor is correct and we will remove the broken link on the Final List submitted to EPA. This website was outdated and has been removed.

General Comment 2: *The 5R links (alternative to a TMDL) do not appear to be working on the spreadsheet provided during public notice.*

Response: The commentor is correct and TDEC will update these URLs.

General Comment 3: The following comment was submitted nearly verbatim by many individuals :

As a concerned citizen, I am urging TDEC to include Per- and Polyfluoroalkyl Substances (PFASs) testing as part of the routine monitoring protocols of Tennessee waterways and the presence of PFAS a defining parameter of an impaired waterway. With monitoring we will have the information needed to mitigate and hopefully prevent contamination by PFASs in the future.

PFAS contamination of water places Tennessee's outdoor heritage at peril, a heritage that is a stated priority of Governor Lee. Medical science has extensively documented that PFASs are detrimental to human health and must certainly be eliminated from drinking water sources. Boating, fishing and swimming in PFAS contaminated waterways would also place human health at risk. Using PFAS-contaminated water for farmland irrigation or livestock watering would leave farmers dealing with contaminated soil and farm products, further imperiling human health and reducing agricultural profits. PFAS contaminated waters degrade habitat for

wildlife as well. Adverse effects of PFAS exposure in wildlife are also extensively documented in peer-reviewed scientific publications. The effects in wildlife mirror the myriad health effects documented in humans including impairment of the endocrine, immune, nervous, digestive, and reproductive systems.

In short, PFAS pollution of water would have far-reaching, negative social and economic impacts for Tennesseans. We must adopt policy and procedures now that will get us ahead of this serious threat to our outdoor heritage.

Response : TDEC is evaluating the proposed EPA Fish and Aquatic Life toxicity and Fish Tissue consumption criteria for PFAS chemicals. We currently analyze all fish tissue samples for PFAS chemicals as a typical monitoring practice. This was implemented to produce a dataset for comparison to the proposed EPA criterion. TDEC's PFAS monitoring protocols will continue to be evaluated based on the evolving science.

General Comment 4 : *Our general comment relates to entities submitting analytical sampling data to TDEC for regulatory/303(d) listing determinations. How does TDEC evaluate such entities' sampling-related processes and analytical protocols in considering if "Non-TDEC" data is viable for stream listing determinations?*

Response : The Division uses all reliable data that are readily available for the assessment of Tennessee's waterways. This includes data from TDEC, other local, state, and federal agencies, universities, NPDES permit holders, citizens, and the private sector. All submitted or otherwise readily available data are considered in the assessment process. If data reliability cannot be established, data are used to screen waters for future studies.

Potential submitters are reminded that the agency has data quality control objectives. Submissions that do not meet these objectives may be used as a screening tool rather than to assess streams. In situations where data from the Division and another source do not agree, more weight is given to the Division's data unless the other data were significantly more recent or extensive, and have comparably stringent QA/QC protocols.

More information on TDEC's evaluation of data reliability and integrity can be found in the

[Quality Assurance Project Plan for 106 Monitoring July 2025](#), Section B2.4 QC Data Review.

General Comment 5 : *We appreciate the delisting rationale and listing clarification tabs included in the 303(d) spreadsheet. These lists, however, still make it difficult to determine which new waterbodies are being listed as impaired and which (if any) waterbodies are being recategorized as unassessed (due to lack of recent data or other reasons). Additionally, being able to filter, search, or perform Excel analyses with the official spreadsheet would be incredibly helpful as we review the draft list. Is it possible to provide an "unprotected"*

spreadsheet or alternative way to disseminate this information so it can be manipulated and analyzed by the public?

Response : TDEC believes that the Draft List of Impaired and Threatened Waters provided for public comment needs to be locked to prevent editing in order to ensure all parties are considering the same information and not a potentially edited or corrupted version that could be circulated. Data from within the spreadsheet can be copied and pasted into a new Excel workbook, providing sorting and filtering option for individual analysis. TDEC appreciates these suggestions and is always considering opportunities to be more transparent in the 303(d) program. EPA continues to provide new report features in the ATTAINS system used by TDEC to track assessment information that could be helpful for future review and comparisons of assessment changes. TDEC will look further into ways to incorporate these reports into meaningful tools for the review of future Tennessee Lists of Impaired and Threatened Waters.

General Comment 6 : *With respect to the interactive map, we encourage TDEC to add a map layer delineating watershed management groups, particularly so groups assessed during the current cycle are clearly marked. When a user clicks on a waterbody shown as “Not Supporting,” it would also be helpful if the specific causes of impairment were listed directly within the map interface. An additional layer on the map showing the previous 303(d) list cycle statuses for the watershed groups to be considered would also be incredibly helpful during this public review period. This additional layer would help visualize where delistings or listings are occurring throughout the state.*

Response : Mapping tools continue to evolve and TDEC strives to utilize this technology to provide the public information in an understandable manner. The goal of the shared map to evaluate these draft data is to allow users to understand the geographic extent of assessment units, while the spreadsheet provide details of listing status. It should be noted that the listing and delisting process applies to parameters (Causes) affecting the various designated uses, rather than streams (assessment units), making this difficult to map at a statewide summary scale. TDEC will consider highlighting the existing HUC8 Watershed boundary layer to more clearly depict which Groups were the focus of assessment changes for the next 303d reporting cycle.

General Comment 7 : *We request clarification of the six assessment categories shown in the map legend. The distinction between “Fully Supporting” and “Fully Supporting (Evaluated),” as well as between “Not Supporting” and “Not Supporting (Evaluated),” is not intuitive. Clear definitions provided directly within the legend or map interface would improve usability.*

Response : “Fully Supporting” for a specific designated use (e.g. Fish and Aquatic Life, or Recreation) means the criteria associated with that particular use are all being met, while “Not Supporting” for a particular use means one or more associated criteria are being violated at a sufficient magnitude, frequency, and duration. When multiple years of water quality data can be used to establish a trend that indicates that a water quality

criterion is likely to be exceeded in the near future, that stream will be identified as “Threatened” by the specific pollutants, included in the 303(d) List, and also assigned a TMDL priority.

An “Evaluated” qualifier indicates that the assessment is based on professional judgment, historical data, and information sources other than recently collected benthic or chemical data. Evaluation involves extending the temporal period for which previous monitoring data can be applied during assessments, along with review of other information of the current status of the watershed and stream condition. More information on the Evaluated assessment protocol can be found in TDEC’s Consolidated Listing and Assessment Methodology document : [dwr-wp-p-01-consolidated-assessment-listing-methodology-11142023.pdf](#)

We will explore the technological options to additionally provide these definitions within the GIS map application in future updates.

General Comment 8 : *We recommend that TDEC provide a brief narrative overview summarizing what the current draft list indicates about water quality trends in Tennessee. Information such as how many waters have been assessed statewide, how many were newly assessed in this cycle, and whether the results suggest an overall increase or decrease in impaired waters would help translate technical results into meaningful context for the public.*

Response : According to an analysis of our data, 1411 stream segments were assessed using new data in this cycle. Of those, 375 stream segments assessed this cycle remained fully supporting based on the new data. 39 streams segments assessed this cycle that were previously not supporting are now assessed as fully supporting. 87 stream segments assessed this cycle that previously were fully supporting transitioned to impaired for one or more designated use. For previously unassessed streams for which new data was collected and assessed, 50 were found to be supporting, 44 were impaired for one or more designated use.

TDEC’s monitoring plans have always utilized a targeted sampling approach, with specific prioritization hierarchies. Because the location and types of information gathered each cycle is different, these data do not lend itself to statistical trend analysis in the way static monitoring locations or a truly random sampling process would. TDEC is currently revitalizing its probabilistic monitoring approach as part of the overall sampling protocols to be able to better to address statewide trend analysis.

General Comment 9 : *We believe that applicants and permittees whose activities impact surface waters should be required (within reason) to regularly assess the waters they affect. Such requirements would help ensure that assessment data remains current and that impacts from permitted activities are adequately documented and addressed. This would also decrease the number of resources TDEC must utilize during their data collection efforts as well as make crucial data available to other efforts around the state – for example, impacts from*

Hurricane Helene, Habitat Conservation Plan for the Duck River watershed, and flood and drought events.

Response : Many permittees in the state are required to monitor the instream effects of their activities, such as those with major ARAP projects, certain MS4 programs, and some NPDES permits. Other permittees agree to perform instream sampling in order to demonstrate improvements in water quality outside of our normal assessment cycle, or gather additional information to be used in a future decisions on permit requirements. An example would be a facility conducting macroinvertebrate sampling to reevaluate stream health after optimizing a POTW for nutrient removal. Ultimately, however, the federal Clean Water Act establishes TDEC as the entity responsible for assessing water quality. While data from outside entities are always solicited and welcome, tracking, ensuring QC standards, receiving or converting data into usable formats, and uploading such data still requires staff resources.

General Comment 10 : *According to TDEC monitoring plans, Escherichia coli (E. coli) sampling should prioritize a geometric mean followed by a monthly sampling program when necessary. Upon a cursory review of the TDEC DataViewer, some locations show data consistent with a geometric mean sampling, some reflect monthly sampling frequency and other locations have both.*

Does TDEC attempt this sampling regimen at all sampling locations in a particular waterbody or do they choose a single location within the waterbody to perform all E. coli sampling? Does TDEC elect to do monthly or geometric mean sampling at a particular location based on previous 303(d) lists or adaptively adjust based on sampling results in the current 303(d) list sampling program? Monthly sampling can be very informative in determining E. coli impairment status but we want to emphasize (which I am sure TDEC is well aware) that E. coli samples in winter months may underrepresent E. coli densities given the cold temperatures and increased die-off rate. It is important to understand E. coli dynamics in the winter for overall river health, but in reality, the E. coli criteria is intended to protect recreational activities, and very limited recreation occurs in winter months. E. coli impairments may be skewed if a disproportionate number of samples were collected in winter months with the intent to protect recreation during the summer.

Response : Streams impaired due to pathogens are typically sampled monthly for E. coli. However, if the stream was listed in whole or part due to a previously failing geomean, or is posted for contact, a geomean sample should be collected during the current monitoring cycle. For streams previously assessed as fully supporting fish and aquatic life, or have not previously been assessed, monthly sampling of pathogens (E. coli) is also conducted on as many of these streams as possible to more fully evaluate all uses and better characterize existing water quality. TDEC prefers monthly E. coli sampling to capture the conditions present over the whole hydrologic year. While some types of recreational contact with waters may be heavier in summer, ensuring human health safety is a year-round priority and provides a better evaluation for the criterion. Geomean sampling at sites is of a lower priority in recent years due to the logistical difficulties and staff resource drain such sampling entails. As with all parameters, E. coli

sampling is most often targeted to known problems, listed streams, heavily recreated areas, below potential point or non-point sources.

General Comment 11 : *We agree with the statement made by TDEC at the public hearing that the 303(d) list is a “snapshot” in time. Does TDEC factor in “events” that may have been occurring during their sampling schedule – for example, sewer plant maintenance and/or upgrades that incidentally cause prolonged overflows. Or does TDEC acknowledge these “events” as outliers and try to avoid them in their sampling schedule?*

Response : TDEC’s monitoring plan is designed and executed to provide the most representative data to assess the designated uses of waterbody units. Previously known events such as the ones described may factor into the choice of locations, frequency, or parameters sampled in the monitoring plan. Events that occur during the monitoring cycle may be captured and factored into the evaluation of data, but are more often addressed through targeted sample collection in support of complaint investigation or enforcement and compliance actions. A temporary criterion exceedance known to be corrected would usually be considered not representative and given less weight in the assessment process.

General Comment 12 : *We appreciate that TDEC evaluates TMDL priorities within their 303(d) list. Are the TMDL priorities equivalent to alternative approaches allowed by the EPA such as an Advance Restoration Plan (ARP)? Will TDEC satisfy their TMDL requirements (using the priority status) with ARPs? Or will TDEC develop a combination of ARPs and TMDLs for the high priority waterbodies depending on their status and/or pollution severity? If so, how does TDEC make the decision to pursue a TMDL vs. an ARP for a particular high priority waterbody?*

Response : TMDLs and their prioritization are required by EPA in the federal CWA. An Advanced Restoration Plan (ARP) may be considered by the state in advance of a TMDL if there are restoration activities on the ground that are imminent and of sufficient scale to restore the parameter of concern to meet state water quality criteria. ARPs will not be available or appropriate in all situations, but in certain situations such as incentivizing stakeholder engagement and restorative activities to address a narrative criterion that does not lend itself as well to TMDL calculations, the state believes ARPs may be a more direct and effective process to restore water quality.

General Comment 13 : *We appreciate the incredible efforts and expertise of the Division’s Watershed Planning Unit to assemble and disseminate results from this important program. We believe that the 303(d) list is the first step in recovering waterbodies that have experienced pollution for years if not decades. Ultimately, we have some concerns about how the 303(d) list is translated to a TMDL or alternative plan and whether those plans will lead to meaningful control measures on point source pollution (e.g. Nation Pollutant Discharge Elimination System). We will support and contribute to efforts that prioritize this process. Many*

waterbodies across the state have been on the 303(d) list for years, if not decades, without meaningful efforts to address the identified impairment. We want to work with TDEC to help improve this process and create meaningful implementation plans with clear paths for recovery for our watersheds whether through a TMDL or ARP program.

Response : Thank you for your comments. While the TMDL process can be effective in pollutant loading calculations and directing control measures for NPDES-permitted discharges, other causes of impairment affecting habitat integrity or driven by widespread land use non-point sources can be more difficult for TDEC to directly address. TDEC will continue to work with stakeholders and stakeholder groups to identify the most effective on-the-ground BMP implementation that can more directly lead to water quality improvements in these situations. This work may include working with Tennessee Department of Agriculture's 319 programs, grant-funded opportunities, development of watershed-based plans, and potentially Advanced Restoration Plans (ARPs) that would document the effectiveness of BMP implementations.

Specific Comments

Specific Comment 1: *The Fish & Aquatic Life and Domestic Water Supply designated uses for Center Hill Reservoir (TN05130108013_1000) are assessed in EPA ATAINS database as Threatened by "Eutrophication, Nutrients", but this appears to have been left off of the draft 2026 list of Impaired and Threatened Waters.*

Response: The Division agrees with the comment, and this inadvertent omission will be corrected in the Final 2026 List submitted to EPA.

Specific Comment 2: *The length of the Assessment Units of two segments of Creech Hollow Branch in Dickson County (TN05130204002_0410 and TN05130204002_0415) do not appear to be accurate. Segment -0410 is listed as 4.32 miles, but is actually 0.50 miles. Segment -0415 is listed as 7.59 miles, but is actually 4.32 miles.*

Response: The Division agrees with the comment and has confirmed the correct mileages for these segments in GIS. The correct mileages will be edited into ATAINS and State databases, as well as corrected on the Final 2026 List submitted to EPA.

Specific Comment 3 : *The commentor wishes to bring to the attention of TDEC information concerning water samples from the East Fork of the Stones River, and included an attachment of samples analyzed by a licensed laboratory. This data has thus far been omitted from the draft TDEC report of impaired and threatened waters.*

These 2025 samples were from locations noted by the city of Murfreesboro from permitted

area designated as Outfall 2 & 2D (located at approximately 35.94177°N, 86.37404°W) near the northwest corner of Middle Point Landfill in close proximity to Bubba Springs which drains into the East Fork Stones River. 2025 testing was found to have the following levels: nitrogen-nitrite =0.78 mg/L, aluminum=0.43 mg/L, iron 1.1 mg/L, manganese=0.83 mg/L, potassium=6.5, and ammonia=1.0 mg/L (total alkalinity CaCO₃=140) . The city has completed water sampling from a storm water outfall to the stream located at 35.92959°N, 86.37268056°W. Sample data from 1/9/24 yielded aluminum levels at 0.17 mg/L and ammonia at 3.93 mg/L. Near permitted Outfall 2 is Bubba Spring (35°56'30.34" N, 86°22'26.77). Samples collected on 1/9/2024 from this were found to have aluminum at 0.396 mg/L and ammonia at 0.36m/l. This contaminated spring was flowing when samples were taken. Matthews Lake Spring, on the banks of the East Fork Stones River, was sampled through 12/23/24 - 6/12/2025. Aluminum was found to be 0.17mg/l and 0.2 mg/l.

The aluminum levels listed above, as a chronic criteria, may negatively impact aquatic and invertebrate organisms. Since 40 C.F.R. §130.7(b) requires each state to “use all existing and readily available data”, and the EPA’s recommended chronic freshwater aluminum criteria is understood by the commentor to be roughly 0.087-2.888 mg/L (depending on pH and DOC), it is thought that these credible samples should be included in reports to the EPA (even though TN does not have an aluminum standard). Based upon the locations that water sampling has been completed (around Middle Point landfill), it also surmised that the MP landfill is the source point. Two of the locations are south of the shuttered county landfill. However, the northwest locations are farther from the county landfill and were noted to be “canary in the coalmine” indicators in regard to Middle Point.

Response : TDEC evaluated the data in the referenced report during the assessment process. The data cited were collected at stormwater outfalls and seep springs along the banks of the East Fork Stones River (TN05130203023_1000) and based on our own instream sampling at four locations along this segment, do not appear to be representative of the water quality of the river as a whole, which is the focus of the waterbody assessment process. These data may be more applicable to the potential compliance issues at the landfill and solid waste management issues. Tennessee has not adopted the EPA aluminum criterion (but is in the process of evaluating this criterion as part of our current Triennial Review.

Based on the data from our four sampling stations along this segment of the East Fork Stones River, Fish and Aquatic Life is assessed as Not Supporting the Fish and Aquatic Life designated use due to low dissolved oxygen levels and Recreation use is impaired due to excessive E. coli levels. There is also a fish consumption advisory due to elevated mercury levels in tissue. Criteria exceedances were not observed for metals, ammonia, or the other parameters cited in the report. The Middle Point landfill is currently not considered a significant source of any of the impairment parameters for the segment as a whole.

Specific Comment 4 : Another commentor sent similar and related comments to the previous, concerning testing of stormwater and leachate related to the Middle Point Landfill

and its possible effects on the East Fork and West Fork Stones River, as follows :

Federal regulations say states must evaluate "all existing and readily available information" in developing their 303(d) lists (40 C.F.R. §130.7(b) (5)). So, why isn't any of the city clean water violation data that has been collected and summarized in the report linked below (and copied to TDEC) been included ?

<https://www.murfreesborotn.gov/.../35489/2025-09-15-CWA-NOI>

Although the Tennessee does not yet have a numeric PFAS limits for rivers, discharges of PFAS are regulated by the Clean Water Act since they are a known carcinogen. As a result of federal code 40 CFR Part 445, contaminated storm water discharges are considered a point source. The city has completed water sampling from a storm water outfall to jurisdictional CWA waters through a storm water channel to a stream located at 35.92959°N, 86.37268056°W. This discharges directly to a jurisdictional stream under the CWA. Water sample data at this location revealed PFOA at a level of 2,000 PPT. Leachate from Middle Point landfill is processed by the city of Murfreesboro WRRF. Water sample data analyzed by licensed laboratories have found that PFAS levels in effluent have measured extraordinarily high. The city of Murfreesboro has documented PFOA levels as high as 380,000 ppt. These levels constitute a hazard to humans and marine organisms. Since the city does not have foam fractionation or granular activated carbon filtration methods, pass-through river contamination is a concern for the West Fork of the Stones River where Murfreesboro WRRF discharges.

Response : TDEC does use all readily available data, and as described in the previous response, did review and evaluate the report and data cited above. The data collected at confined, discreet conveyances along the bank, which may be applicable for compliance purposes, does not follow TDEC's monitoring protocols for assessing waterbody use attainment (see previous response). Additionally, while TDEC has not adopted EPA's proposed criteria for PFAS and PFOA chemicals, we are currently analyzing fish tissue samples for these chemicals while we evaluate the proposed EPA criteria. Fish tissue samples from the East Fork Stones River above Walter Hill dam showed detections of PFOA but were below the EPA proposed criteria. TDEC will continue to monitor and test fish tissue in both the East Fork Stones River, and within J Percy Priest Reservoir downstream of the Murfreesboro WRRF as we evaluate the proposed criteria.

Specific Comment 5 : *My family has owned property in the Walter Hill area since the 1960s. Some of my fondest memories with my father are there on a small fishing boat casting a line into the East Fork Stones River. Back then, the East Fork Recreation Area was a well maintained safe space for local families to gather and enjoy the TN outdoors. It had pavilions, picnic tables, bathrooms and beautiful trails along the river. But today it looks very different. When you approach the entrance, you will see signs recognizing the Trail of Tears/ Twin Forks Trail. But this national historic trail (by our main water source) has fallen into a state of neglect lined with trash, drug paraphernalia and left-behind caution tape. [The commentor provided photographs taken in January 2025 in support of these observations]*

I don't know who is at fault for the decline and contamination of this river. BFI and Murfreesboro government officials have spent years pointing fingers at each other and doing nothing to resolve the issue. It is obvious an outside source needs to do a third-party unbiased investigation. I believe the "trash mountain" landfill pollutes our water, and I also believe Murfreesboro leaders have played a part. The citizens have not been informed of the extent of this pollution and we deserve answers. More importantly, we need clean water.

Response : While TDEC does support a clean and trash-free environment, this issue and comment is beyond the scope of water quality assessment, the 2026 List of Impaired and Threatened Waters, and the regulatory authority of the Division of Water Resources. In terms of evidence that the landfill may be a source of water quality impairment to the East Fork Stones River, please see the two previous responses.

Specific Comment 6 : *We respectfully disagree with the classification of Rural Residential as the potential Source of E. coli in the Middle Fork Stones River. There are two subdivisions along Rutherford County's section of the Middle Fork. Buchanan Estates, while located in the county, is on municipal sewer from the City of Murfreesboro. A much smaller subdivision, Bruce Heights, is located along Buzzard Branch that is a tributary to the Middle Fork. Bruce Heights was permitted in 2019 for septic. Upstream of these subdivisions, are large tracts that are sparsely populated. The majority of these homes are located hundreds to over 1,000 feet away from the Middle Fork. Based on this information, we do not see that the "Rural Residential" classification is accurate for the Middle Fork Stones River. The Middle Fork Stones River is roughly 19 miles long. E.Coli source tracking methods like eDNA would be very helpful alongside stream segments in determining the source and would help the County focus its resources.*

Response : Identification of most probable Sources is often based on general land use in the watershed, especially for diffuse, non-point parameters such as E. coli. The use of "Rural Residential" as one of the land-use based Sources of E. coli in the Middle Fork Stones River (Livestock Grazing activities are also cited as a potential Source), is used to characterize lower-density residential areas, regardless of sewage disposal practices. TDEC does not currently have the resources to perform E. coli source tracking. During the assessment process, the identification of excessive E. coli levels as a Cause is a higher priority than determining an exhaustive list of confirmed sources (which may be more applicable in a TMDL process).

Specific Comment 7 : *Hickman Creek, assessment unit TN05130108002-2000, was listed for chemical oxygen demand after a fish kill occurred in 2021. The cause was found to be a leak of a nontoxic substance from a factory in Alexandria which used up stream oxygen. In the summer of 2024 EPA Region 4 hired a contractor which removed the contaminated soil which was leaking the chemical into Hickman Creek through ground water. Fish life has since returned to the creek. One may want to consider delisting this parameter. It needs to remain listed for other impairments.*

Response : TDEC agrees with the commentors facts about the spill and subsequent remediation. During the current assessment process, based on TDEC sampling at River Miles 13.0, 13.5, and 13.7, it was determined that Dissolved Oxygen and Chemical Oxygen Demand shall remain listed parameters until additional monitoring confirms these criteria are being met next cycle.

Specific Comment 8 : *. We would first like to acknowledge the amount of work and coordination that is involved in these biannual assessments. There were many changes made to the Stones and Harpeth River Watersheds, and we see how the data supports these listings in most instances.*

One factor that we would like to bring to TDEC's attention is regarding the Harpeth River. Assessment Units TN05130204009-2000 and TN05130204009-3000 are being listed for unavailable parameters for E. coli. As stated on page 58 of the QSSOP for Chemical and Bacteriological Sampling of Surface Water, "rain events should be avoided". USGS provides continuous flow data in several places on the Harpeth River. Given the high flows present on the Harpeth River on 7/1/2020, 7/2/2020, 9/3/2020, 10/29/2020, 12/21/2021, 1/19/2022, and 4/19/2022, it would be difficult or impossible to follow TDEC sample protocol. We ask that samples considered for water quality assessments be representative of Recreation Use conditions which are the most stringent criteria for coliform. Recreation conditions are not present in the days previously referenced due to post-rain event elevated stream flow conditions. Therefore, we ask that flow be taken into consideration and samples taken during flows above 850 cfs (local boating company safety protocol) be excluded from the water quality assessments.

Response : While it is true that our current SOP advises that sampling should avoid rain events when possible, it is often impracticable to refrain from collecting any samples when the flows of a major river such as the Harpeth River may be somewhat elevated. This provision in the SOP should not be interpreted as meaning that the Division is prohibited from sampling under any conditions or that rain event samples are not violations if they exceed criteria. Per TDEC's Consolidated Assessment and Listing Methodology (CALM) document, rain events samples may be given less weight, but that does not mean they are completely ignored or cannot be used as part of the assessment process. If up to two of these observations exceeded criteria but were documented to be associated with significant rain events and all the other data met criteria, the Division may assess these streams as fully supporting for Recreation use. If more than two samples were elevated, even if proximate to storm events, or the other non-storm event data was consistently elevated, the stream would be considered impaired. Even with less weight, TDEC believes there were enough E. coli criteria exceedances during the monitoring period to support assessing Recreation use as impaired.

Monthly sampling of pathogens (E. coli) is conducted on as many streams as possible to more fully evaluate all uses and better characterize existing water quality. TDEC

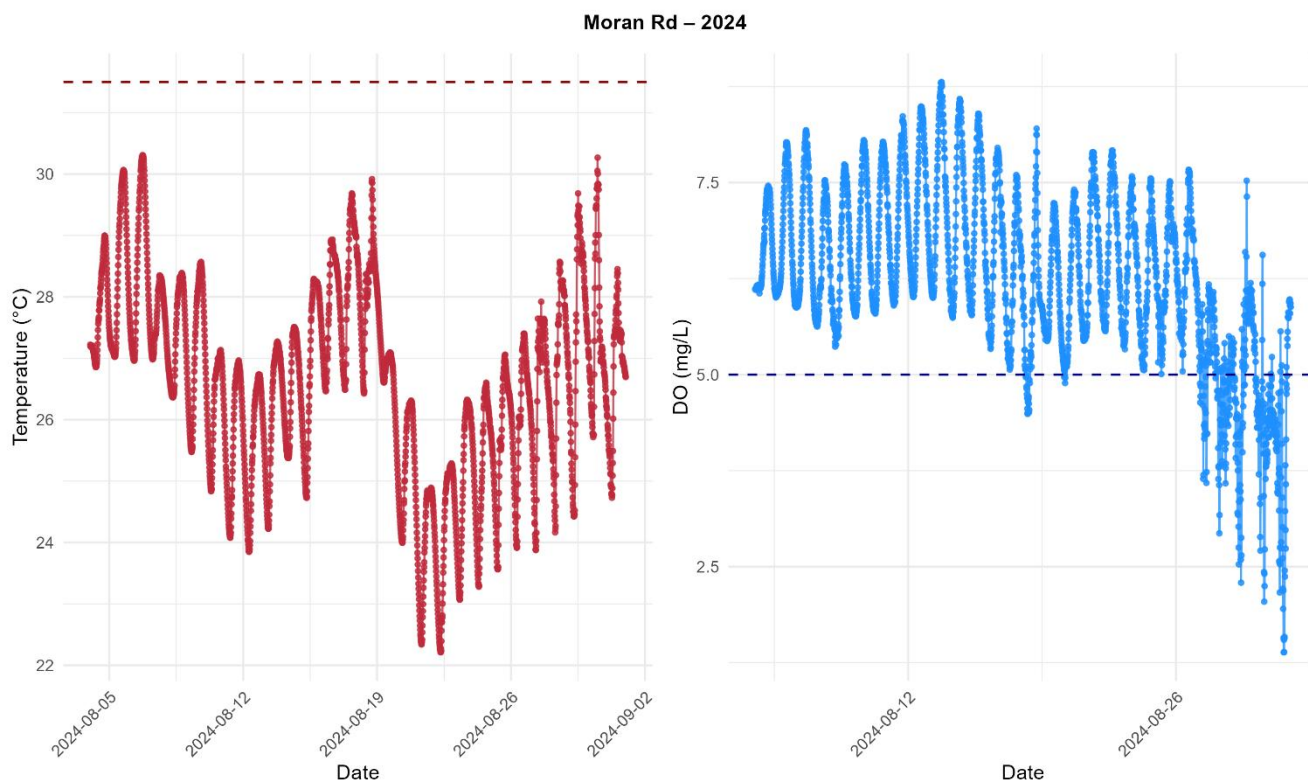
prefers monthly E. coli sampling to capture the conditions present over the whole hydrologic year. While some types of recreational contact with waters may be heavier during lower flow conditions, ensuring human health safety in all flow regimes and year-round is a priority for evaluating support of the Recreational Use, and the criteria does not contain a flow-level exemption.

Specific Comment 9 : *Harpeth River segment TN05130204009_3000 is situated between Franklin, TN and Bellevue, TN. In the dissolved oxygen delisting rationale, TDEC states that, “City of Franklin conducted annual continuous monitoring in 2019, 2020, & 2021: only two days just briefly below D.O. criteria in 2020. All other D.O. readings were above 5.0. Monthly samples from the last three cycles (n=37) showed all D.O. discreet samples above criteria”.*

We recommend TDEC reconsider the proposed delisting of this section of the Harpeth River in northern Williamson County for low dissolved oxygen when considering the additional continuous monitoring data that is available from the city of Franklin’s monitoring in this segment from 2022-2025 (figures attached). The TDEC rationale for delisting this section of the Harpeth River references reviewing the City of Franklin continuous dissolved oxygen monitoring data from 2019-2021. However, there was effectively only one of those years (2020) where data was collected during the late summer - the critical time period when DO tends to be at its lowest. In reviewing the city of Franklin’s continuous monitoring data from 2022-2025 (spreadsheet attached), there were periods of several weeks of low dissolved oxygen levels recorded in 2024 and 2025. We appreciate that TDEC will review more recent data during the 303(d) public input process.

Response : TDEC strives to assemble and use all available data when making its water quality assessments. We appreciate the additional data provided by the commentor related to more recent continuous monitoring conducted by the City of Franklin at river mile 68.4 (Moran Road) in this segment of the Harpeth River. While there are questions about some of the Franklin monitoring data and potential equipment issues or other interferences, the frequency, magnitude, and duration of dissolved oxygen criterion violations appear to be more extensive than what was reflected in the data TDEC based its initial proposed assessment upon. (An example from the 2024 monitoring provided in your comment submittal is reproduced below).

Given this additional information, TDEC agrees more monitoring is needed to more fully understand dissolved oxygen levels and fluctuations prior to formally delisting the parameter for this segment of the Harpeth River. This will be a focus of our own monitoring efforts in this segment during the 2026-2027 Group 1 watershed cycle, as well as continuing to evaluate additional data from the Franklin continuous monitoring probe.



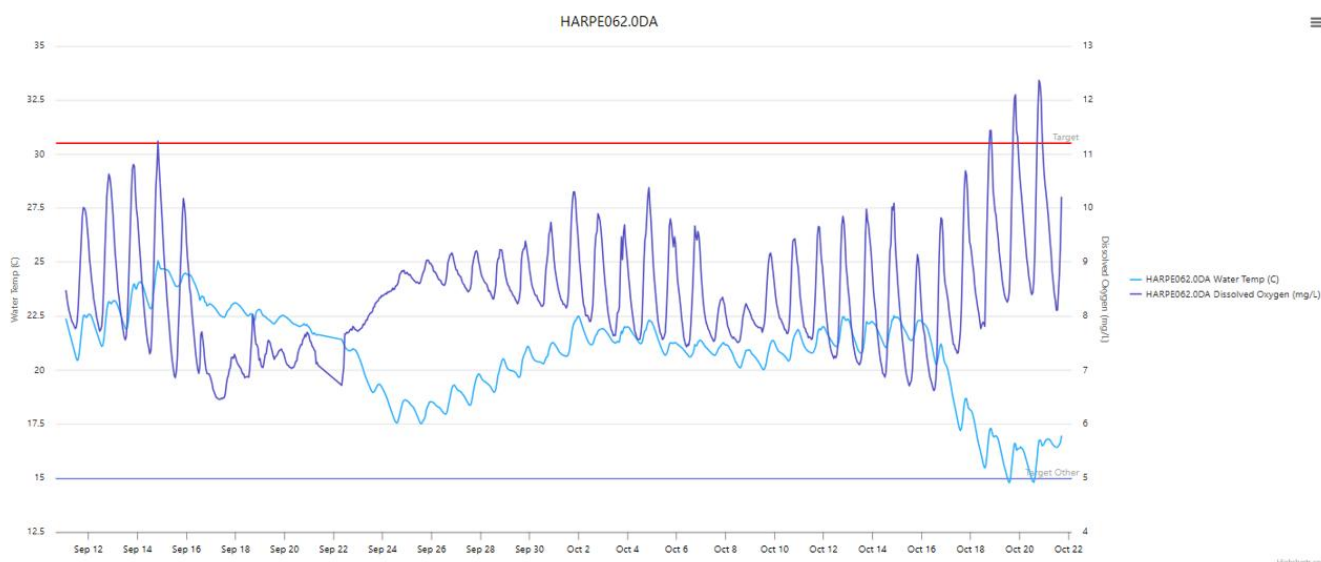
Specific Comment 10 : *Harpeth River segment TN05130204009_2000 is situated between Bellevue, TN and the confluence with the South Harpeth River. This segment includes the State Scenic River designations of the Harpeth through Davidson County. In the delisting rationale, TDEC states that, “Discreet monthly sampling during the last four monitoring cycles (since 2006) showed no violations (82 total samples). In addition, TDEC continuous monitoring at RM 62.0 in Sept-Oct 2021 showed no D.O. violations”. We are unfamiliar with the 2021 continuous monitoring by TDEC and would be curious to see that data.*

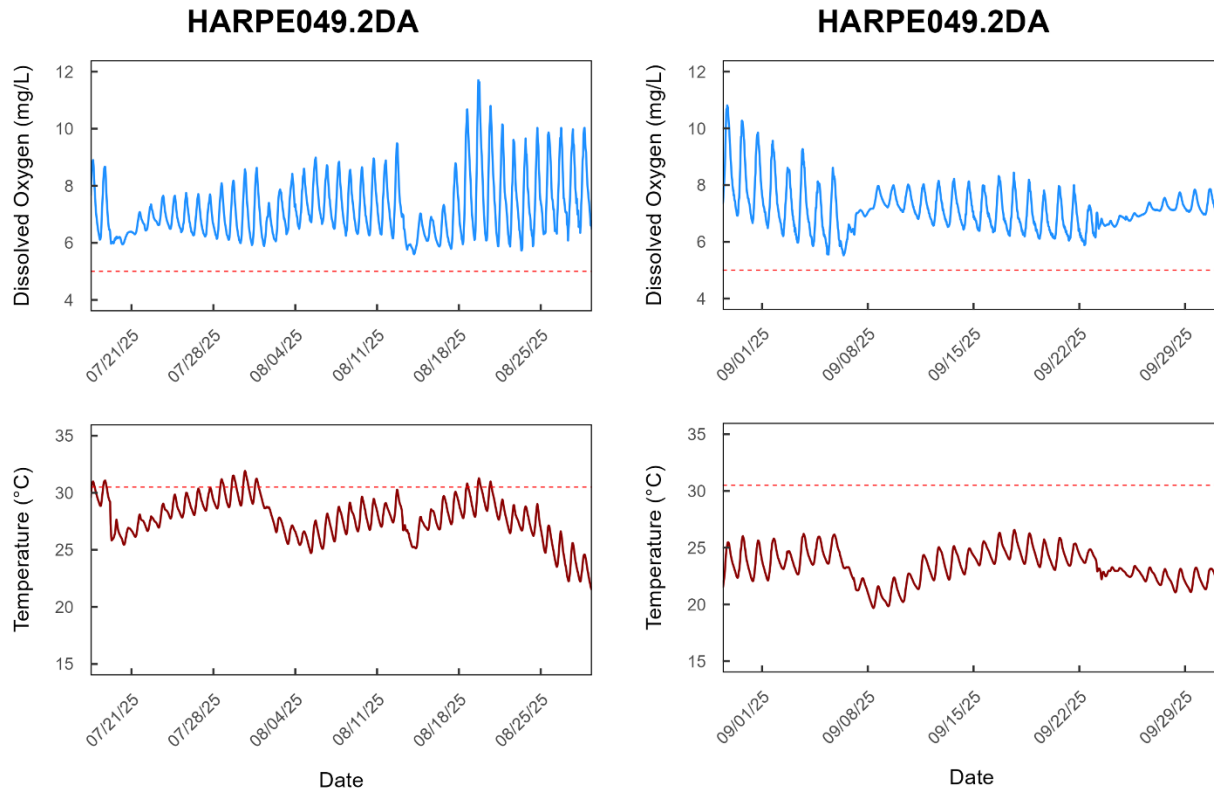
Unfortunately, the only USGS gage along this section of the Harpeth River is the Bellevue, TN location (USGS-03433500), which has a DO data gap between 2020 and 2025. Thanks to TDEC, the DO probe was reinstalled at this location in 2025, and no DO measurements were below 5 mg/L in the past year. But, given a 5-year data gap in DO measurements at this location, we sought to better understand variations and trends in that time period. Therefore, we compared DO trends at the Moran Road location (Excel file attached to these comments) and the Bellevue location in 2019 (most recent and complete year where both sites were active – see attached Figure). The DO trends seem to be similar in 2019, particularly during late-September and early-October when DO values were below 5 mg/L. It could be reasonable to assume that this relationship (even if strength changes from year to year) could help inform DO trends at the Bellevue location during the 5-year data gap. Given that Moran Road data shows numerous time periods when DO drops below 5 mg/L, we might expect the Bellevue DO values to follow that same trend.

We recommend TDEC reconsider the proposed delisting of this section of the Harpeth River for low dissolved oxygen since continuous monitoring data is minimal and based on the above comparison of other data in the upstream segment. An attached figure includes all DO data that we were able to aggregate from TDEC, USGS, and City of Franklin since 2014.

Response : As stated in the previous response, TDEC bases its assessments of waterbody segments by evaluating all available data. TDEC agrees with the commentor that it would have been preferable to have had a full five years of dissolved oxygen data from the USGS gauge at Harpeth River Mile 62.0 from 2020-2025. However, TDEC still maintains that sufficient data is available to assess dissolved oxygen in this segment as meeting its criterion and supports delisting this parameter as a Cause of impairment in this reach. In addition to the data cited in the draft delisting rationale (*“Discreet monthly sampling during the last four monitoring cycles (since 2006) showed no violations (82 total samples). In addition, TDEC continuous monitoring at RM 62.0 in Sept-Oct 2021 showed no D.O. violations.”*), as noted in your comment more recent continuous D.O. data from the USGS gauge at RM 62.0 over the summer and fall of 2025 showed no readings below the 5.0 ppm criterion. TDEC also did an additional diurnal survey deployment in the summer and fall of 2025 at River Mile 49.2, which similarly showed no criteria violations. (TDEC graphs provided below).

Even with a delisting of dissolved oxygen as an impairment parameter in this assessment unit, TDEC is committed to continue to make this stretch of the Harpeth River a focus of its monitoring efforts, as well as analyzing data from the now-reestablished USGS gauge in future assessment cycles.





Specific Comment 11 : *The Harpeth River segment TN05130204018_3000 is proposed for delisting for E. coli. This 303(d) list segment is in the Harpeth headwaters near Eagleville, TN. The TDEC rationale states that “Since 2017, multiple BMPs have been funded by the Harpeth Conservancy in the watershed to address and mitigate livestock impacts.” We appreciate the recognition of the work HC was able to achieve under several state 319 grants to address non-point source pollution working with property owners to put agricultural best management practices in place. The city of Eagleville also received Dept of Agriculture funds to build a non-discharging sewer plant for its citizens that has addressed the failing septic in the area. Improvements in the headwaters have been the effort of property owners and city leadership starting in 2003 and continuing for over 15 years. Harpeth Conservancy worked with many partners to pull match funds for these 319 grants.*

Response : TDEC appreciates the collaborative effort between the local Eagleville community and the non-profit and state agency partners in addressing historic water quality issues related to E. coli in the headwaters of the Harpeth River. One of the purposes of the Department’s *List of Impaired and Threatened Waters* is to document existing issues in the hope that this will help target remediation efforts from a wide variety of stakeholders. It is gratifying when these efforts manifest themselves in monitoring data documenting significant improvements in water quality, the meeting of criteria, delisting of an impairment parameter, and renewed support of a Designated Use in this important resource.

**Comments received regarding topics not directly related to the
Tennessee 2026 List of Impaired and Threatened Waters**

Unrelated Comment 1 : The commentor formally objects to the approval of the current Corrective Action Plan (CAP) for the City of Newbern to remediate the 14 illegal bypasses currently impacting Biffle Creek and Obion River segments as submitted. The commentor cites disagreements with the technical and financial remediation alternative being pursued and offers preferred options. The commentor asserts City of Newbern failed to provide the mandatory 14-day public notice for the \$11.8M loan associated with this project and requests that TDEC withhold final approval of the Revised CAP.

Response : This comment is not related to the evaluation of the Draft 2026 List of Impaired Streams, which does not address or evaluate specific enforcement or remediation actions, or financing of infrastructure improvements. The potential impact of any bypassing within the Biffle Creek or Obion watersheds will be taken into account when planning the next monitoring cycle for these Group 5 waterbodies.

Unrelated Comment 2 : I haven't seen any wildlife in Limestone Creek last summer continuing up to now. There are virtually no birds in our area. If you go above Bristol or up above the Cumberland into Kentucky, there are birds everywhere. Something in the air, either the uranium plant or some other toxicity, is causing this. Everybody else has birds but us, and where there were any birds by Limestone Creek it was just turkey vultures up in trees and flying over our house all summer. Something must be dead to have them just constantly do that, but you don't see any other birds.

Response : This comment does not appear to pertain to the Draft 2026 List of Impaired Streams, and seems to be more directed at potential air

pollution issues rather than water quality.