



Public Notice

Tennessee Department of Environment and Conservation
Division of Water Resources
Notice Requesting Public Comments on Draft Permit Actions
File # **NRS23.228**

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 Rule Chapters 0400-40-03 and 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

Robert Baker
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
615-532-0710
robert.d.baker@tn.gov

APPLICANT

Columbia Power and Water Systems
201 Pickens Lane, P.O. Box 379
Columbia, TN 38401
Jonathan Hardin, PE, President/CEO
931-388-4833

LOCATION

The activity is in the Duck River in Maury County near river mile 134 and near river mile 100. Pursuant to T.C.A. § 10-7-504 and Rule 0400-01-01(4)(c)2, the precise locations are confidential. Therefore, the exact locations of the intake sites will not be disclosed in this permit or otherwise made available to the public.

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

Columbia Power and Water Systems is seeking to revoke its permit (file number NRS18.285) for withdrawal of up to 20 million gallons a day from the Duck River near Columbia near river mile 134 and proposes issuance of a new permit that would renew the existing withdrawal and include construction of a new intake downstream near river mile 100 capable of providing 32 million gallons per day. The new intake would supply water to a proposed new 12 million gallons per day water treatment plant and to the existing

water treatment plant, operating in tandem with the existing intake to withdraw a maximum of 32 million gallons per day.

PUBLIC HEARING

As part of this public notice and comment period, the Division will hold an in-person public hearing that will also be conducted via video-teleconference. The public hearing will be held at the following location and time:

Location: **Columbia Environmental Field Office**
1421 Hampshire Pike
Columbia, TN 38401

Date: **October 19, 2023**

Informational Session: **5:00 PM Central**

Public Hearing: Immediately following Informational Session

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 217 613 533 962

Passcode: yDVuWu

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Join with a video conferencing device

stateoftn@m.webex.com

Video Conference ID: 113 548 023 6

[Alternate VTC instructions](#)

Or call in (audio only)

[+1 629-209-4396](tel:+16292094396),[693602126#](tel:+1629602126) United States, Nashville

Phone Conference ID: 693 602 126#

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Please note that you can join the meeting by telephone if you do not have internet access by calling the number above and entering the access code and password.

If you are unfamiliar with Webex, you may review the platform in advance at <https://www.webex.com/test-meeting.html>. For assistance with Webex go to <http://help.webex.com>.

Prior to opening the formal public hearing, an informational session will be held. The informational session will allow participants to ask questions informally and receive input from TDEC staff. 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 from TDEC during the hearing.

The meeting moderator may limit the length of oral comments to allow all parties an opportunity to speak and will require that all comments be relevant to the proposed permit action and Division of Water Resources issues. If you are unable to participate in the public hearing, or otherwise wish for your comments

to be read into the record, please submit them to water.permits@tn.gov prior to the hearing and specifically indicate your request for the comment to read at the hearing. Please note that written comments do not need to be read at the hearing in order to be considered by TDEC.

Individuals with disabilities who wish to participate in these proceedings or review the file record should contact TDEC to discuss any auxiliary aids or services needed to facilitate such participation. Contact may be by writing, telephone, or other means, and should be made no less than ten working days prior to the hearing to allow time to provide such aid or services. Contact the ADA Coordinator (615-532-0207) for further information. 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 Brian Canada at 615-979-1406 or Brian.Canada@tn.gov for more information.

Si le resulta difícil leer, hablar o comprender inglés, es posible que TDEC pueda proporcionarle servicios de traducción o interpretación sin cargo. Comuníquese con Brian Canada al 615-979-1406 o brian.canada@tn.gov para obtener más información.

ANTIDegradation

The affected waters have available parameters for water withdrawal and are Exceptional Tennessee Waters (ETW). The basis for ETW inclusion for the Lower Duck River from the Tennessee River (Kentucky Lake) to the beginning of the Upper Duck Watershed at River Mile 137.7, including unnamed tributaries in Tennessee National Wildlife Refuge, is U. S. Fish and Wildlife Service Critical Habitat for Fluted Kidneyshell (*Ptychobranchnus subtentum*) and Slabside Pearlymussel (*Pleuironaia dolabelloides*) from Kentucky Lake to Flat Creek (River Mile 216). River Mile 133 to 179 is also USFWS Critical Habitat for Purple Bean and Cumberlandian Combshell. Federal endangered Clubshell, Pygmy Madtom, Birdwing Pearlymussel, Oyster Mussel. State threatened Coppercheek Darter and Water Stitchwort are also in this reach. Portions in Natchez Trace Parkway National Park, Hugh Link Farm State Archeological Area, and Tennessee National Wildlife Refuge are also ETWs.

As described in the accompanying permit rationale, the Department has made a preliminary determination that the proposed activity will result in 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 of the withdrawal.

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 **sixty 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.

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 data viewer at [Report on Permits \(tn.gov\):::::](#) 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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