



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

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Via Electronic Mail to travis.a.wiley@usace.army.mil

Attn: Travis Wiley, Project Manager
Department of the Army
Nashville District, Corps of Engineers
110 9th Avenue South, Room A-405
Nashville, TN 372032

Dear Mr. Wiley:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the U.S. Army Corps of Engineers (USACE) – Nashville District, Draft Integrated Detailed Project Report and Environmental Assessment (DPR/EA) and Unsigned Finding of No Significant Impact (FONSI) for the Bartons Creek Watershed Flood Risk Management Study. The purpose of the Draft DPR/EA report is to analyze potential solutions for flooding problems within the Bartons Creek Watershed in Wilson County, Tennessee, including the city of Lebanon. In determining a tentatively selected plan (TSP), USACE identified thirteen structural flood risk management (FRM) measures that would address one or more of the planning objectives, and then assessed these measures for efficiency and acceptability. The Draft DPR/EA TSP recommends the following actions:

- **Tentatively Selected Plan (TSP)** – The Stumpy Lane Detention Basin plan maximizes net annual benefits and provides significant risk reduction while being cost effective. Stumpy Lane Detention Basin will reduce flow capacity at Stumpy Lane by replacing the existing bridge with concrete culverts in order to store approximately 40 acre-feet of water upstream. The inlet area for the new culvert system is designed to have a smaller inlet area than the existing bridge structure which will reduce flow through the roadway embankment by way of inlet control and create a detention area just upstream of Stumpy Lane. Specifically, the culvert system is designed to have two reinforced concrete pipes that are 40' long, 60" wide, complete with upstream and downstream wing walls for erosion protection. The detention structure is designed to overtop at relatively frequent rain events (10 year event); 140 feet of the roadway embankment would be sufficiently armored both upstream and downstream to handle periods of overtopping. Construction would not alter the elevation of the existing roadway.

TDEC has reviewed the Draft DPR/EA with Unsigned FONSI and provides the following comments:

Cultural Resources

If human remains are encountered or accidentally uncovered by earthmoving activities, all activity within the immediate area must cease. The county coroner or medical examiner, a local law enforcement agency, and the state archaeologist's office should be notified at once (Tennessee Code Annotated 11-6-107d). A court order from Chancery Court must be obtained prior to the removal of any human graves. TDEC recommends the Final DPR/EA include discussion relating to USACE protocols for encountering and addressing human remains.

Plant and Animal Resources

Based on the habitat within the project area and the type of project, TDEC does not anticipate any impacts to rare, threatened, or endangered plant species from this project, provided that best management practices to address erosion and sediment are implemented and maintained during construction activities.¹

Air Resources

No open burning of trees or vegetation is described or mentioned in the Draft DPR/EA. TDEC recommends that should open burning be considered for disposal of wood wastes generated from proposed activities, alternatives to open burning including chipping, composting or grinding of wood waste should be evaluated first. If open burning is selected for wood waste disposal USACE should consider implementing a smoke management plan, not burning on air quality alert days, and coordinating burning with other agencies (local and State air pollution control agencies, forestry agencies and local fire departments). TDEC encourages the Final DPR/EA include discussion relating to the management of wood wastes generated by the TSP.

The removal or demolition of buildings/structures is discussed in section 3.4.2 Excluded Measures. If any of the proposed buildings or structures are to be partially or completely demolished, asbestos inspections would need to be conducted and abatement activities performed before demolition begins following a standard notification to TDEC in advance of the demolition/renovation activities as required by the National Emission Standards for Hazardous Air Pollutants regulations. TDEC recommends the Final DRP/EA include discussion relating to notifying TDEC in the event that building demolition is necessary.

Air quality impacts are discussed primarily as a result of heavy equipment engine emissions and generation of fugitive dust on site. The use of fugitive dust control measures is discussed during the site construction activities. Similar measures should also be employed during any demolition actions on site, should they occur.

The National Ambient Air Quality Standards (NAAQS) are mentioned, however, the pollutant list provided does not include PM_{2.5} (PM₁₀ is referenced). TDEC recommends that the list be updated in the Final DPR/EA to include this regulated NAAQS pollutant.²

¹ TDEC's Division of Natural Areas created a map of rare species location within the project area for USACE on December 1, 2017. No aquatic species were shown in the vicinity of the project, only the Spring Creek Bladderpod. USACE biologists performed a survey at the Stumpy Lane Detention Basin for presence of the Spring Creek bladderpod in March, 2018 and determined that the species was not present.

² All pollutants are correctly listed on page 26 but incorrectly listed on page 76 in section 6.4.8.

Water Resources

The preferred alternative will require an individual Aquatic Resource Alteration Permit (ARAP) due to the fact that it is not merely a stream crossing but also a retaining/detention structure. The impacts that will be assessed will include not just the physical footprint of the structure, but the change to the flow of the creek.

The land disturbance involved with the project, including staging areas, will disturb well more than an acre of land, which will require a stormwater permit under Tennessee's General National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities (CGP) prior to the start of construction.

TDEC appreciates the opportunity to comment on this Draft DPR/EA with Unsigned FONSI. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,



Kendra Abkowitz, PhD
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