



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

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

May 11, 2016

Via Electronic Mail to *Comments-southern-cherokee-nolichucky-unaka @fs.fed.us*

Leslie Morgan

District Ranger
Unaka Ranger District
4900 Asheville Hwy
Greeneville, TN 37743

Dear Leslie Morgan:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the United States Forest Service (USFS) *Categorical Exclusion for Sill Branch and Briar Creek Aquatic Organism Passage (Culvert Replacement) Project* (CE) in Washington County, Tennessee. The applicant, USFS, proposes to remove existing culverts on Briar Creek Road over Briar Creek and on Clark Creek Road over Sill Branch and replace them with arched culverts. These activities will take place in already disturbed areas along the roads and streams. This proposal is categorically excluded from documentation in an Environmental Assessment or an Environmental Impact Statement pursuant to 36 C.F.R. 220.6(e)(18).¹

TDEC's **Tennessee State Parks and Real Property Management** has reviewed the CE and has no specific comments regarding the proposed action or its alternatives.

TDEC's **Division of Natural Areas (DNA)** has reviewed the CE and, based on the information provided and the information within the rare species database, does not anticipate adverse impacts to federally or state listed or proposed plant species.

TDEC's Division of Water Resources (DWR) has reviewed the CE and has the following comments on the proposed actions:

- DWR supports the replacement of the existing culverts with open bottomed arched culvert structures to allow for naturalization of substratum and ease passage of aquatic life and recommends that proper permits be obtained for the proposed replacements.
- DWR recommends that USFS design road and fill zones such they minimize impacts to the waterbodies wherever practicable within the context of the proposed actions.
- DWR recommends that USFS direct storm water outfalls such that they minimize the potential for scour and maximize sediment filtration benefits prior to flowing into the trout streams within the context of the proposed actions.

¹ 36 C.F.R. 220.6(e)(18) states that "restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled."

TDEC appreciates the opportunity to comment on this CE. 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,

A handwritten signature in blue ink that reads "Kendra Abkowitz". The signature is written in a cursive, flowing style.

Dr. Kendra Abkowitz
Director of Policy and Planning
Phone: (615)-532-8689

cc:

Bill Avant, TDEC, TSP
Stephanie A. Williams, TDEC, DNA
James Sutherland, TDEC, DWR