



NRS06.332

Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations, the Division of Water Pollution Control is required to determine whether the activity described below will violate applicable water quality standards.

Subject to conformance with accepted plans, specifications and other information submitted in support of the application, the state of Tennessee hereby authorizes the activity described below.

PERMITEE: City of Franklin
405 Hillsboro Road
Franklin, Tennessee 37064

AUTHORIZED WORK: involves a modification to the rate and volume of water withdrawn from the Harpeth River for municipal water supply by the City of Franklin. The water that is withdrawn from the river is used to fill an off stream reservoir from which it is pumped to the treatment plant when needed. The authorized work includes an increase in the pump capacity to 7,800 gpm or 11.2 mgd.

LOCATION: Harpeth River in Franklin, Williamson County; 35.9087°N, 86.8540°W

EFFECTIVE DATE: November 28, 2007

EXPIRATION DATE: November 27, 2012

SPECIAL CONDITIONS:

- 1) Flow in the Harpeth River shall not be reduced below ten cubic feet per second (cfs) as a result of the withdrawal. This limit applies to all current and future withdrawals subject to this permit.
- 2) Water shall be withdrawn at a rate of no more than twenty percent (20%) of the flow in the river at the intake.
- 3) The permittee shall investigate and report the feasibility of removing the low-head dam associated with the intake. The purpose of the feasibility study is to evaluate the costs and benefits for the restoration of water quality and fisheries ecosystem in the Harpeth River. The feasibility study shall be coordinated with the department to allow stakeholder participation.
- 4) Prior to construction of the upgraded intake:
 - a) the feasibility study shall be completed and submitted to the department,

- b) plans for the upgraded intake must be submitted to the department and approved in writing,
- c) the plans must address the mechanism by which water would be withdrawn at the rate of 20% of the total flow and how flow would be accurately measured.

GENERAL CONDITIONS:

- 1) The work shall be accomplished in conformance with the accepted plans, specifications, data and other information submitted in support of the above application and the limitations, requirements and conditions set forth herein.
- 2) Impacts to waters of the state other than those specifically addressed in the plans and this permit are prohibited. All streams, springs and wetlands shall be fully protected prior, during and after construction until the area is stabilized. Any questions, problems or concerns that arise regarding any stream, spring or wetland either before or during construction, shall be addressed to the Division of Water Pollution Control, Nashville Environmental Field Office 615-687-7020. Wetlands outside of the proposed area of impact shall not be used as storage or staging areas for equipment.
- 3) All work shall be carried out in such a manner as will prevent violations of water quality criteria as stated in Rule 1200-4-3.-03 of the Rules of The Tennessee Department of Environment and Conservation. This includes but is not limited to the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of waters of the state for any of the uses designated by Rule 1200-4-4. These uses include fish and aquatic life, livestock watering and wildlife, recreation, irrigation, industrial water supply, domestic water supply and navigation.
- 4) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.
- 5) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat is prohibited.
- 6) This permit does not authorize impacts to cultural, historical or archeological features or sites.
- 7) It is the responsibility of the applicant to convey all terms and conditions of this permit to all contractors. A copy of this permit, accepted plans, and any other documents pertinent to the activities authorized by this permit shall be maintained on site at all times during periods of construction activity.
- 8) This does not preclude requirements of other federal, state or local laws.

The state of Tennessee may modify, suspend or revoke this permit or seek modification or revocation should the state determine that the activity results in more than an insignificant violation of applicable water quality criteria or violation of the act. Failure to comply with permit terms may result in penalty in accordance with T.C.A. §69-3-115.

An appeal of this action may be made to the Water Quality Control Board. In order to appeal, a petition requesting a hearing before the Board must be filed within 30 days after receipt of the permit. In such petition, each contention should be stated in numbered paragraphs that describe how the proposed activity would be lawful and the action of the state is inappropriate. The petition must be prepared on 8½" x 11" paper, addressed to the Water Quality Control Board and filed in duplicate at the following address: Paul E. Davis, Director, Division of Water Pollution Control, 6th Floor L & C Annex, 401 Church Street, Nashville, Tennessee 37243-1534. Any hearing would be in accordance with Tennessee Code Annotated Section 69-3-110 and 4-5-301 et seq.

A handwritten signature in black ink, appearing to read "Paul E. Davis". The signature is written in a cursive style with a large initial "P" and "D".

Paul E. Davis, P.E.
Director, Division of Water Pollution Control