

# PUBLIC NOTICE

**PERMIT APPLICATION:** NRS07.184

**APPLICANT:** Warren & Thu-ha Duncan  
3162 Laurel Oaks Dr. NW  
Cleveland, TN 37132  
423-478-0462

**LOCATION:** unnamed tributary to Lick Branch in Cleveland, Bradley County  
USGS South Cleveland (TN) Topo Map 35.2137°N, 84.9202°W

**WATERSHED DESCRIPTION:** the tributary is in the Hiwassee River watershed. Neither the tributary nor Lick Branch has been assessed for use support. Lick Branch is a tributary to Candies Creek. Candies Creek use support is as follows: TN06020002005\_2000 Fish and Aquatic Life (Non-Supporting), Recreation (Not Assessed), Irrigation (Supporting), Livestock Watering and Wildlife (Supporting) Physical substrate habitat alterations, Sedimentation/Siltation. This notice may be viewed on the internet at:

<http://www.state.tn.us/environment/wpc/ppo/arap>.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity may result in degradation (more than *de-minimis*) to water quality.

**PROJECT DESCRIPTION:** The applicant proposes to build an earthen impoundment structure (dam). The dam and impoundment would impact approximately 325' linear feet of stream channel. The purpose of the impoundment is for private recreation.

**PERMIT COORDINATOR:** Robert Baker

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. 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.

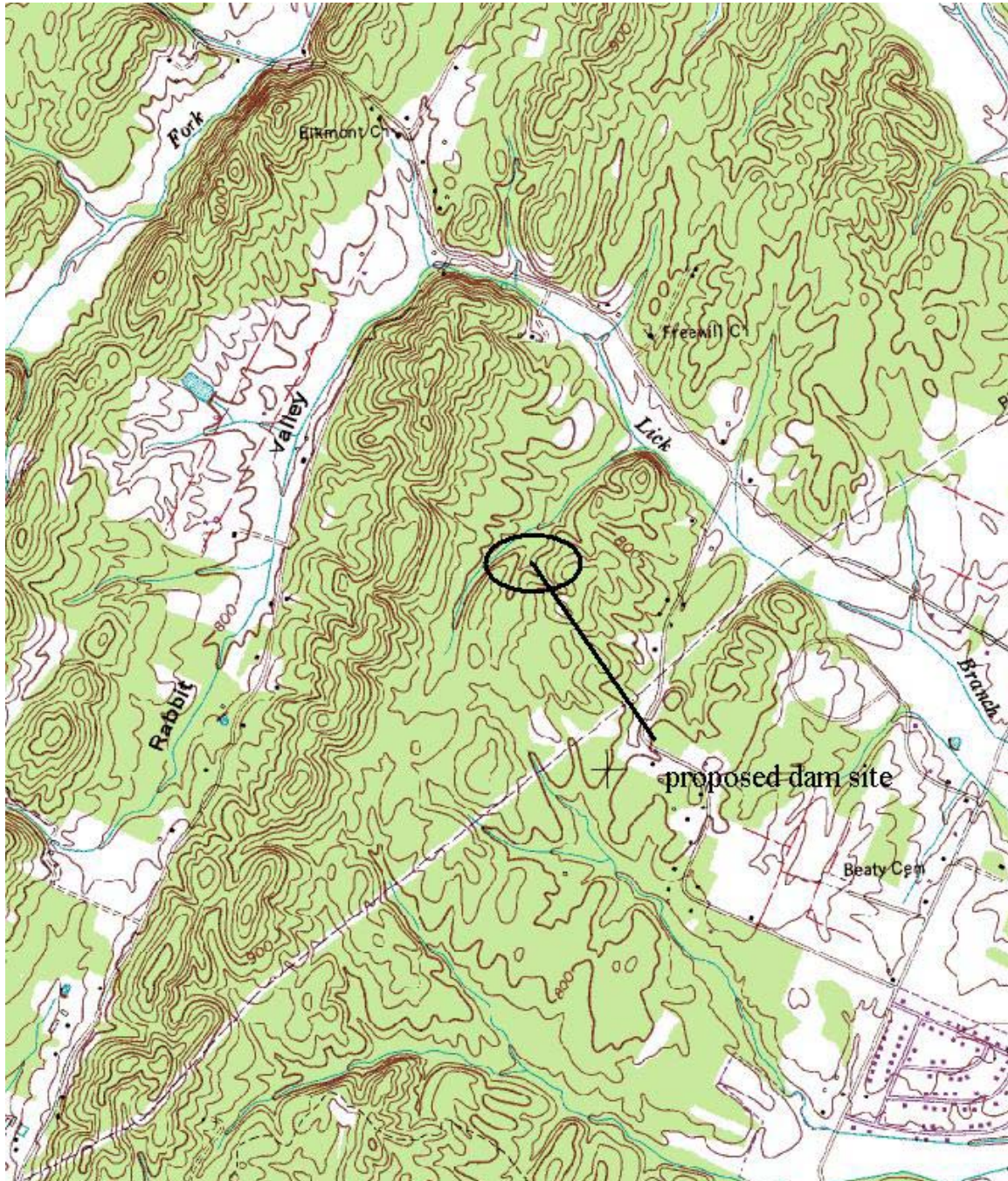
Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation  
Division of Water Pollution Control, Natural Resources Section  
7th Floor L & C Annex

401 Church Street  
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.



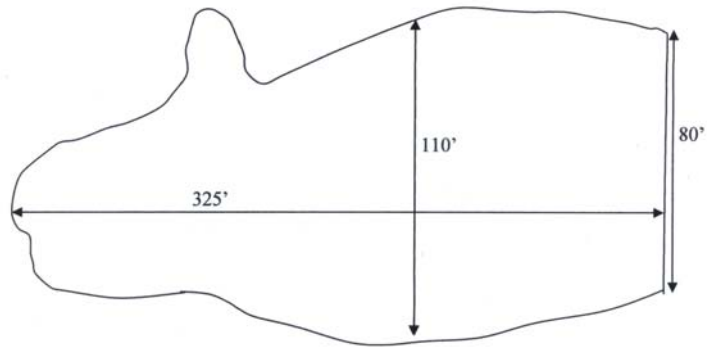


Photo #4 Looking uphill from proposed center of dam.