

NOTICE OF PUBLIC HEARING
Tennessee Division of Water Pollution Control
PH 009-010

The division will hold a public hearing to seek comments concerning an application for a state water quality permit from Ron Barker, RPB Builders/ Barker Properties to construct a commercial development at the corner of Highway 60 and Paul Huff Parkway. Access to the proposed development will be via two drives off Highway 60. The current Highway 60 location will be realigned, widened and shifted to the west. The proposed development will consist of one 45,000 square foot bldg., one 6,800 sq ft. bldg., one 6,750 sq. ft. bldg., one 5600 sq. ft. bldg., two 2,650 sq. ft. bldgs., nine 1,750 sq. ft. bldgs., and six 1500 sq. ft. bldgs. A total of 443 parking spaces will be constructed. Approximately 4.88 acres of jurisdictional wetland will be impacted by the development. Compensatory wetland mitigation shall occur offsite at the former Beaty Farm located on the east side of Eureka Road approximately 5.3 miles from the intersection of Highway 60 and Eureka Road. It is within the floodplain of Candies Creek. The site is in currently in pasture and used by cattle. It is covered with fescue and patches of *Juncus* sp. Soils are Hamblen and Prader listed and confirmed as hydric for Bradley County Four drainage features exist which are used to drain the site. The proposed mitigation consists of the enhancement (6:1 ratio) of 0.98 acres of existing wetland and the restoration of 9.5 acres at a 2:1 ratio. The drainage ditches will be removed by cross grading or tilling. A 50-foot riparian buffer will be left along Candies Creek. Five species of native wetland tree species will be planted on 10- foot centers at the rate of 400 seedlings/ acre. The mitigation site will be monitored the first five years for hydrology (three shallow peizometers), vegetation (tree survival and an ongoing herbaceous list) and soils and then in the 7th and 10th years for tree survival only. Annual reports shall be submitted to this office and the U.S. Army Corps of Engineers.

Date: Thursday, August 13, 2009

Time: 6:30 P.M.

Location: City of Cleveland
Municipal Building
Council Chambers
190 Church Street NE
Cleveland, TN 37311
(423) 472-4551

Applicant: Ron Barker
RPB Builders/ Barker Properties
3755 Georgetown Road NW
Cleveland, TN 37312
(423) 472-6062

The public notice of this project, file number NRS #08.058 published on April 28, 2009 can be found on the Internet at <http://www.state.tn.us/environment/wpc/ppo/arap>.

Persons wishing to comment on or object to the application proposal are invited to deliver oral or written comment at the public hearing. The hearing officer will limit all testimony to relevant water quality issues and may limit testimony in the interest of time. However, all persons desiring to speak will be given an opportunity to do so. Written testimony will be accepted for 10 days following the hearing and will be considered part of the official record. The public is also invited to submit comments in writing to the division at the address printed below. The comments must be received within 30 days from the date of this notice. After considering all public comments, the division will publish a final permit decision and a notice of the division's determinations.

Interested persons may obtain additional information or inspect and copy the application and related documents during business hours at the division's central office at, 401 Church Street, 7th Floor L and C Annex, Nashville, TN 37243; (615) 532-0712 or at the Department of Environment and Conservation Chattanooga Field Office, Suite 550 State Office Bldg., 540 McCallie Avenue, Chattanooga, TN 37402 (423) 634-5745.

The Tennessee Department of Environment and Conservation is committed to principles of equal opportunity, equal access and affirmative action. Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Contact for services should be made no less than ten days in advance to allow time to provide such aid or services. Contact the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Attn: Mike Lee
7th Floor L&C Annex
401 Church Street
Nashville, Tennessee 37243-1534