

## Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number RLR211556	Tracking Number <i>(NEPA Administration Use Only)</i> 32413
Form Preparer Samantha J Strickland	Project Initiator/Manager Samantha J Strickland	Business Unit P&NR - Reservoir Land Use & Permitting
Project Title 26a Category 3 RLR 211556 Ronnie Braden Lincoln Co. Brd. of Public Utilities Muscle Shoals - Off Reservoir		Hydrologic Unit Code
Description of Proposed Action <i>(Include Anticipated Dates of Implementation)</i> For Proposed Action See Attachments and References		<input type="checkbox"/> Continued on Page 3 <i>(if more than one line)</i>
Initiating TVA Facility or Office Central/Western Region		TVA Business Units Involved in Project P&NR - Reservoir Land Use & Permitting
Location <i>(City, County, State)</i> LINCOLN, TN, County, State: LINCOLN, TN Stream(s): Elk R 75.30 L		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

### Part 1. Project Characteristics

Is there evidence that the proposed action...	No	Yes	Commitment	Information Source for Insignificance
1.Is major in scope?	X			Strickland, Samantha J. 07/13/2015
2.Is part of a larger project proposal involving other TVA actions or other federal agencies?	X			Strickland, Samantha J. 07/13/2015
* 3.Involves non-routine mitigation to avoid adverse impacts ?	X		No	Strickland, Samantha J. 07/13/2015
4.Is opposed by another federal, state, or local government agency?	X			Strickland, Samantha J. 07/13/2015
* 5.Has environmental effects which are controversial?	X			Strickland, Samantha J. 07/13/2015
* 6.Is one of many actions that will affect the same resources?	X			Strickland, Samantha J. 07/13/2015
7.Involves more than minor amount of land?	X			Strickland, Samantha J. 07/13/2015

\*If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

## Part 2. Natural and Cultural Features Affected

Would the proposed action...	No	Yes	Permit	Commitment	Information Source for Insignificance
1.Potentially affect endangered, threatened, or special status species?		X	No	No	For comments see attachments
2.Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?	X		No	No	For comments see attachments
3.Potentially take prime or unique farmland out of production?	X		No	No	Strickland, Samantha J. 07/13/2015
4.Potentially affect Wild and Scenic Rivers or their tributaries?	X		No	No	For comments see attachments
5.Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	For comments see attachments
6.Potentially affect wetlands?	X		No	No	For comments see attachments
7.Potentially affect water flow, stream banks or stream channels?		X	No	No	For comments see attachments
8.Potentially affect the 100-year floodplain?		X	No	No	For comments see attachments
9.Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?		X	No	No	For comments see attachments
10.Contribute to the spread of exotic or invasive species?	X		No	No	Strickland, Samantha J. 07/13/2015
11.Potentially affect migratory bird populations?	X		No	No	Strickland, Samantha J. 07/13/2015
12.Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?		X	No	No	For comments see attachments
13.Potentially affect surface water?		X	Yes	No	For comments see attachments
14.Potentially affect drinking water supply?		X	No	Yes	For comments see attachments
15.Potentially affect groundwater?	X		No	No	Strickland, Samantha J. 07/13/2015
16.Potentially affect unique or important terrestrial habitat?	X		No	No	For comments see attachments
17.Potentially affect unique or important aquatic habitat?		X	No	No	For comments see attachments

## Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidental or unplanned)...	No	Yes	Permit	Commitment	Information Source for Insignificance
1.Release air pollutants?	X		No	No	Strickland, Samantha J. 07/13/2015
2.Generate water pollutants?		X	Yes	No	For comments see attachments
3.Generate wastewater streams?		X	Yes	No	For comments see attachments
4.Cause soil erosion?		X	Yes	No	For comments see attachments
5.Discharge dredged or fill materials?		X	Yes	No	For comments see attachments
6.Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	Strickland, Samantha J. 07/13/2015
7.Generate or release hazardous waste (RCRA)?	X		No	No	Strickland, Samantha J. 07/13/2015
8.Generate or release universal or special waste, or used oil?	X		No	No	Strickland, Samantha J. 07/13/2015
9.Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	Strickland, Samantha J. 07/13/2015
10.Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	Strickland, Samantha J. 07/13/2015
11.Involve disturbance of pre-existing contamination?	X		No	No	Strickland, Samantha J. 07/13/2015
12.Generate noise levels with off-site impacts?	X		No	No	Strickland, Samantha J. 07/13/2015
13.Generate odor with off-site impacts?	X		No	No	Strickland, Samantha J. 07/13/2015
14.Produce light which causes disturbance?	X		No	No	Strickland, Samantha J. 07/13/2015
15.Release of radioactive materials?	X		No	No	Strickland, Samantha J. 07/13/2015
16.Involve underground or above-ground storage tanks or bulk storage?	X		No	No	Strickland, Samantha J. 07/13/2015
17.Involve materials that require special handling?	X		No	No	Strickland, Samantha J. 07/13/2015

#### Part 4. Social and Economic Effects

Would the proposed action...	No	Yes	Permit	Commitment	Information Source for Insignificance
1.Potentially cause public health effects?	X			No	Strickland, Samantha J. 07/13/2015
2.Increase the potential for accidents affecting the public?	X			No	Strickland, Samantha J. 07/13/2015
3.Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X			No	Strickland, Samantha J. 07/13/2015
4.Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X			No	Strickland, Samantha J. 07/13/2015
5.Disproportionately affect minority or low-income populations?	X			No	Strickland, Samantha J. 07/13/2015
6.Involve genetically engineered organisms or materials?	X			No	Strickland, Samantha J. 07/13/2015
7.Produce visual contrast or visual discord?	X			No	Strickland, Samantha J. 07/13/2015
8.Potentially interfere with recreational or educational uses?		X		No	For comments see attachments
9.Potentially interfere with river or other navigation?	X		No	No	Strickland, Samantha J. 07/13/2015
10.Potentially generate highway or railroad traffic problems?	X			No	Strickland, Samantha J. 07/13/2015

#### Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action...	No	Yes	Commitment	Information Source for Insignificance
1.Release or otherwise use substances on the Toxic Release Inventory list?	X		No	Strickland, Samantha J. 07/13/2015
2.Involve a structure taller than 200 feet above ground level?	X		No	Strickland, Samantha J. 07/13/2015
3.Involve site-specific chemical traffic control?	X		No	Strickland, Samantha J. 07/13/2015
4.Require a site-specific emergency notification process?	X		No	Strickland, Samantha J. 07/13/2015
5.Cause a modification to an existing environmental permit or to existing equipment with an environmental permit or involve the installation of new equipment/systems that will require a permit?	X		No	Strickland, Samantha J. 07/13/2015
6.Potentially impact operation of the river system or require special water elevations or flow conditions??	X		No	Strickland, Samantha J. 07/13/2015
7.Involve construction of a new building or renovation of existing building (i.e., major changes to lighting, HVAC, and/or structural elements of building of 2000 sq. ft or more) on which TVA will pay/pays the utilities??	X		No	Strickland, Samantha J. 07/13/2015

Parts 1 through 4: If "yes" is checked, describe in the discussion section following this form why the effect is insignificant. Attach any conditions or commitments which will ensure insignificant impacts. Use of non-routine commitments to avoid significance is an indication that consultation with NEPA Administration is needed.

An ☒ EA or ☐ EIS Will be prepared.

Based upon my review of environmental impacts, the discussion attached, and/or consultations with NEPA Administration, I have determined that the above action does not have a significant impact on the quality of the human environment and that no extraordinary circumstances exist. Therefore, this proposal qualifies for a categorical exclusion under Section 5.2. \_\_\_\_\_ of TVA NEPA Procedures.

Project Initiator/Manager Samantha J Strickland	Date 07/15/2015
TVA Organization P&NR	E-mail sjstrick@tva.gov
	Telephone

#### Environmental Concurrence Reviewer

Erica Fritz Wadl 07/17/2015  
\_\_\_\_\_  
Signature

#### Preparer Closure

Samantha J Strickland 07/20/15  
\_\_\_\_\_  
Signature

#### Other Environmental Concurrence Signatures (as required by your organization)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Signature

Signature

**Other Review Signatures** (as required by your organization)

**Attachments/References**

Project Title Continued from Page 1

26a Category 3 RLR 211556 Ronnie Braden Lincoln Co. Brd. of Public Utilities Muscle Shoals - Off Reservoir

Description of Proposed Action Continued from Page 1

Lincoln County, Tennessee is requesting a TVA Section 26a permit to construct and operate a new raw water intake on the Elk River at mile 75.3L. The proposed action would entail construction of a surface water withdrawal facility, comprised of a water intake, pump building and associated water treatment plant. The purpose of the proposed action is to supplement water supplies for unincorporated areas of Lincoln County, Tennessee. See attached project description for details.

CEC General Comment Listing

1. NO COMMENT TEXT  
By: 26a Added Comment
2. NO COMMENT TEXT  
By: 26a Added Comment
3. NO COMMENT TEXT  
By: 26a Added Comment
4. NO COMMENT TEXT  
By: 26a Added Comment
5. Joint Public Notice issued 1-10-2011  
By: 26a Added Comment
6. Project description  
By: 26a Added Comment
7. NO COMMENT TEXT  
By: 26a Added Comment
8. mussel survey  
By: 26a Added Comment
9. Archeology Phase I survey  
By: 26a Added Comment
10. NO COMMENT TEXT  
By: 26a Added Comment
11. NO COMMENT TEXT  
By: 26a Added Comment
12. NO COMMENT TEXT  
By: 26a Added Comment
13. NO COMMENT TEXT  
By: 26a Added Comment
14. NO COMMENT TEXT  
By: 26a Added Comment
15. NO COMMENT TEXT  
By: 26a Added Comment
16. NO COMMENT TEXT  
By: 26a Added Comment
17. NO COMMENT TEXT  
By: 26a Added Comment
18. NO COMMENT TEXT  
By: 26a Added Comment
19. NO COMMENT TEXT  
By: 26a Added Comment
20. NO COMMENT TEXT  
By: 26a Added Comment

21. additional info on need  
By: 26a Added Comment
22. Hydraulic report  
By: 26a Added Comment
23. NO COMMENT TEXT  
By: 26a Added Comment
24. NO COMMENT TEXT  
By: 26a Added Comment
25. NO COMMENT TEXT  
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26. NO COMMENT TEXT  
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27. NO COMMENT TEXT  
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31. NO COMMENT TEXT  
By: 26a Added Comment
32. NO COMMENT TEXT  
By: 26a Added Comment
33. NO COMMENT TEXT  
By: 26a Added Comment

#### CEC Comment Listing

1. A Biological Opinion (BO) was issued by the US Fish and Wildlife Service on June 17, 2014 for the projects effects to the endangered boulder darter (*Etheostoma wapiti*), and designated critical habitat for the slabside pearly mussel (*Pleuroaia dolabellodes*) and fluted kidneyshell (*Ptychobranhus subtentum*), per section 7 of the Endangered Species Act (Act). In addition, a conference report on the the proposed for federal listing as endangered northern long-eared bat (*Myotis septentrionalis*) is incorporated in the biological opinion. Effects determination: Project would likely adversely affect the boulder darter. The action is expected to result in incidental take of boulder darters due to instream construction activities and during operation of the intake with the 1.1 acre project footprint area. Project would not adversely affect the bat species because removal of trees identified as summer roosting habitat would occur during the species October to April hibernation period. In conclusion, USFWS determined the expected take is not likely to result in jeopardy to the boulder darter and would not result in destruction or adverse modification of designated critical habitat for the fluted kidneyshell and slabside pearly mussel.  
The RPMs and implementing T &Cs of the BO will be incorporated as Section 26a permit conditions designed to minimize the effect of incidental take that might otherwise result from the proposed action. USFWS estimates a small unknown number of boulder darters scattered throughout a 1.1-ac area in the Elk River will be incidentally taken. This area contains pockets of suitable boulder darter habitat (estimated at 10% or 0.11-ac ), but it is likely that the species would be redistributed at times throughout the entire 1.1-ac area due to project-related disturbances. The USFWS concurred with the intake final plans on May 1, 2015 by email (see attached).  
By: Samantha J Strickland 07/15/2015  
Files: 211556\_5-1-2015\_USFWS\_concurrence\_to\_final\_intake\_plans.pdf 07/15/2015 153.75 Bytes  
Heritage\_Table\_CEC\_32413.pdf 07/20/2015 83.53 Bytes
2. The applicant conducted an archeological review of both the intake site and the water treatment plant site. No resources were found at either site. The US Army Corps Engineers consulted with the TN SHPO on behalf of TVA. According to the USACE MFR for the project, the TN SHPO concurred on January 10, 2011 and on August 14, 2013. See attached letters and email correspondence with the USACE.  
By: Samantha J Strickland 07/15/2015  
Files: 211556\_TN\_Historical\_Commission\_concurrence.pdf 07/15/2015 466.12 Bytes  
211556\_7-13-2015\_email\_SHPO\_concurrence.pdf 07/15/2015 59.74 Bytes  
211556\_1-19-2011\_Lincoln County SHPO letter 07/15/2015 46.72 Bytes  
1.19.2011.pdf
4. The proposed project does not occur on WSR. AMP  
By: Aurora M Pulliam 05/12/2015
5. The proposed project does not occur on NRI. AMP  
By: Aurora M Pulliam 05/12/2015
8. See attached Floodplain 5-11-2015 comments

- By: Samantha J Strickland 07/13/2015
9. See Part 2 question1 and final BO.
- By: Samantha J Strickland 07/13/2015
12. Based on the low flow data that has been computed for this location, it is assumed that the permitted volume of water withdrawal will likely have no affect on minimum flows. However, if future data collection and statistical analyses on stream flows are conducted and withdrawals are determined to impact minimum flows in the stream, TVA or the state could limit future withdrawal increases.
- By: Gary L Springston 04/27/2015
13. Proper implementation of the following control measures is expected to result in only minor surface water impacts: 1) compliance with applicable environmental laws and regulations, 2) application of TVA General Conditions 1, 2, 10, and 11 and TVA Standard Conditions 3c, 6a, 6d-i to follow Best Management Practices and contain all wastes, and 3) proper operation and maintenance of the facility, to prevent waste, pollution runoff, and unpermitted effluent discharges from entering the receiving waters.
- By: Amanda Bowen 05/08/2015
14. Attached is a file (NOT TO GO INTO PERMIT-Lincoln County Volume & Duration Explanation.pdf) that explains how the maximum permitted volume and permit duration were determined. This is for future reference only and is not to go into the permit.
- By: Gary L Springston 04/27/2015
- Files: NOT TO GO INTO PERMIT-Lincoln County Volume & Duration Explanation.pdf 04/27/2015 198.73 Bytes
14. Under Standard Conditions in the permit, please make sure that under Item 4. Water Intake, boxes a) and d) are checked.
- By: Gary L Springston 04/27/2015
14. Special Conditions/Requirements for Water Withdrawals form (Stewardship Guidelines 4.2.4.1) for Lincoln County Board of Public Utilities' intake request is attached.
- By: Gary L Springston 04/27/2015
- Files: Lincoln County BPU Special Conditions and Requirements.pdf 04/27/2015 252.67 Bytes
16. See Part 2 question 1 response and final BO.
- By: Samantha J Strickland 07/13/2015
17. See part 2 question 1 response and final BO.
- By: Samantha J Strickland 07/13/2015
6. The USACE determined that no wetlands would be impacted by the project (see USACE November 4, 2014 MFR).
- By: Samantha J Strickland 07/13/2015
7. Please see attached file Reviews 26a\26a2015\211556 elk off-res lincoln co intake.docx.
- By: Carrie C Mays 05/11/2015
- Files: 211556 elk off-res lincoln co intake.docx 05/11/2015 17.15 Bytes
- Part 3 Comments
2. Proper implementation of the following control measures is expected to result in only minor surface water impacts: 1) compliance with applicable environmental laws and regulations, 2) application of TVA General Conditions 1, 2, 10, and 11 and TVA Standard Conditions 3c, 6a, 6d-i to follow Best Management Practices and contain all wastes, and 3) proper operation and maintenance of the facility, to prevent waste, pollution runoff, and unpermitted effluent discharges from entering the receiving waters.
- By: Amanda Bowen 05/08/2015
3. Proper implementation of the following control measures is expected to result in only minor surface water impacts: 1) compliance with applicable environmental laws and regulations, 2) application of TVA General Conditions 1, 2, 10, and 11 and TVA Standard Conditions 3c, 6a, 6d-i to follow Best Management Practices and contain all wastes, and 3) proper operation and maintenance of the facility, to prevent waste, pollution runoff, and unpermitted effluent discharges from entering the receiving waters.
- By: Amanda Bowen 05/08/2015
4. Proper implementation of the following control measures is expected to result in only minor and temporary erosion impacts: 1) compliance with applicable environmental laws and regulations, 2) application of TVA General Conditions 1, 2, and 10 and TVA Standard Conditions 3c, 6a, 6d-i to follow Best Management Practices, and 3) proper maintenance of the facility to prevent erosion and sediment runoff.
- By: Amanda Bowen 05/08/2015
5. The intake structure and assooiated riprap are considered fill and will require approval under Sections 401 and 404 of the Clean Water Act. The USACE issued NWP 12 for the action on November 4, 2014. The applicant has made application to the State for 401 water quality certification. TVA permit would not be issued until the State has issued a 401 WQC for the intake structure.
- By: Samantha J Strickland 07/13/2015
- Part 4 Comments
8. The proposed project occurs on the Elk River which was inventoried on the Tennessee Valley Outdoor Recreation Plan Volume 5 (1979) for scenic and recreation opportunity. The Elk River experiences recreation use from anglers and boaters.
- It is not anticipated that the proposed project will interfere with classifications or uses for recreaiton or educational uses. Proper safety precautions ought to be well publicized for any inconveniences during construction phase for river users. AMP

## CEC Permit Listing

## Part 2 Permits

13. Aquatic Resource Alteration Permit  
By: Amanda Bowen 05/08/2015
13. National Pollutant Discharge Elimination System Permit (ç402 Clean Water Act)  
By: Amanda Bowen 05/08/2015

## Part 3 Permits

2. Aquatic Resource Alteration Permit  
By: Amanda Bowen 05/08/2015
2. National Pollutant Discharge Elimination System Permit (ç402 Clean Water Act)  
By: Amanda Bowen 05/08/2015
3. Aquatic Resource Alteration Permit  
By: Amanda Bowen 05/08/2015
3. National Pollutant Discharge Elimination System Permit (ç402 Clean Water Act)  
By: Amanda Bowen 05/08/2015
4. User Defined: A state construction stormwater permit will be needed if more than 1 acre is disturbed.  
By: Amanda Bowen 05/08/2015
5. Section 404 Permit (ç404 Clean Water Act)  
By: Samantha J Strickland 07/13/2015
5. State Water Quality Certification (ç401 Clean Water Act)  
By: Samantha J Strickland 07/13/2015

## CEC Commitment Listing

## Part 2 Commitments

14. User Defined: The Special Conditions/Requirements for Water Withdrawals form (Stewardship Guidelines 4.2.4.1) will need to be attached to the permit. The partially completed form is attached. It is recommended that the entire section (Items 1 through 9, plus the sentence following Item 9) be inserted in the permit. The maximum peak withdrawal in Item 1 is 2.5 mgd. The date that you enter into Item 2 should be 5 years from the permit's date of issue. The annual reporting form at the end of the Special Conditions will need to be included with the permit."  
By: Gary L Springston 04/27/2015

**From:** [Henderson, Andrew](#)  
**To:** [Strickland, Samantha J](#)  
**Cc:** [Baxter, John Tracy](#); [Howard, Charles S](#)  
**Subject:** FW: Elk River Lincoln County Water Intake  
**Date:** Friday, May 01, 2015 11:53:45 AM  
**Attachments:** [RE - FW - Elk River Lincoln County Water Intake comments.pdf](#)

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Samantha, please see the USFWS response from Todd Shaw below and the attached email thread. TWRA and USFWS reached out to Conservation Fisheries, Inc. for feedback and comments on the proposed intake design because of their considerable experience with the Boulder Darter and work in the Elk River system.

CFI had several initial questions but Bo was able to provide background and clarification. USFWS and TWRA have no further comments other than those provided by CFI on the intake design.

Andrew R. Henderson  
Aquatic Endangered Species Biologist  
Tennessee Valley Authority  
400 Summit Hill Drive, WT 11C  
Knoxville, TN 37902  
Phone: 865-632-3416

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**From:** Ross Shaw [mailto:[ross\\_shaw@fws.gov](mailto:ross_shaw@fws.gov)]  
**Sent:** Friday, May 01, 2015 12:41 PM  
**To:** Henderson, Andrew  
**Subject:** RE: Elk River Lincoln County Water Intake

**TVA External Message. Please use caution when opening.**

Hi Andrew:

No, please just take Pat's earlier comments into consideration. Rob Todd had nothing new to add, either. Regarding the proposed screen design, we trust Bo and your judgement.

On another note - you guys should have received the Duck River Bank Stabilization BO several days ago. Please let me know if that document did not arrive at TVA.

Enjoy the predicted warmer weekend,  
Todd

R. Todd Shaw  
Fish & Wildlife Biologist  
U.S. Fish & Wildlife Service - Tennessee Field Office  
446 Neal Street  
Cookeville, TN 38501



Phone: (931) 525-4985

Fax: (931) 528-7075

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**From:** Henderson, Andrew [mailto:[ahenderson@tva.gov](mailto:ahenderson@tva.gov)]

**Sent:** Friday, May 01, 2015 11:34 AM

**To:** 'Ross Shaw'

**Subject:** FW: Elk River Lincoln County Water Intake

Hey Todd hope you are doing well, just wanted to check and see if CFI had given you any formal comments on the Lincoln Co. Water Intake engineering drawings.

Andrew

Andrew R. Henderson  
Aquatic Endangered Species Biologist  
Tennessee Valley Authority  
400 Summit Hill Drive, WT 11C  
Knoxville, TN 37902  
Phone: 865-632-3416

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**From:** Strickland, Samantha J

**Sent:** Friday, May 01, 2015 11:57 AM

**To:** Henderson, Andrew

**Cc:** Baxter, John Tracy; Howard, Charles S

**Subject:** RE: Elk River Lincoln County Water Intake

Andrew – Have we heard anything back from FWS?

Thanks,

Samantha

256-386-2643

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**From:** Howard, Charles S

**Sent:** Monday, March 30, 2015 8:31 AM

**To:** Strickland, Samantha J

**Cc:** Henderson, Andrew; Baxter, John Tracy

**Subject:** FW: Elk River Lincoln County Water Intake

Sam – FYI.

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**From:** Ross Shaw [mailto:[ross\\_shaw@fws.gov](mailto:ross_shaw@fws.gov)]

**Sent:** Friday, March 27, 2015 7:37 PM  
**To:** Henderson, Andrew; [Rob.Todd@tn.gov](mailto:Rob.Todd@tn.gov); Robbie Sykes  
**Cc:** Baxter, John Tracy; Howard, Charles S; Peggy Shute  
**Subject:** RE: Elk River Lincoln County Water Intake

**TVA External Message. Please use caution when opening.**

Andrew:

Just wanted to let you know, we are still working on this. I am heading up to Ohio next week due to my mom having some serious health issues, but Robbie has been coordinating with Rob Todd. I will be back on April 6<sup>th</sup>.

Thanks,  
Todd

R. Todd Shaw  
Fish & Wildlife Biologist  
U.S. Fish & Wildlife Service - Tennessee Field Office  
446 Neal Street  
Cookeville, TN 38501  
Phone: (931) 525-4985  
Fax: (931) 528-7075

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**From:** Henderson, Andrew [mailto:[ahenderson@tn.gov](mailto:ahenderson@tn.gov)]  
**Sent:** Friday, March 20, 2015 7:59 AM  
**To:** 'Ross Shaw'; '[Rob.Todd@tn.gov](mailto:Rob.Todd@tn.gov)'  
**Cc:** Baxter, John Tracy; Howard, Charles S; 'Peggy Shute'  
**Subject:** Elk River Lincoln County Water Intake

Todd and Rob,

Please find the attached Lincoln County, Tennessee water intake design plans (Elk River Mile 75.3).

Term and Condition # 11 the Biological Opinion (FWS #2014-F-0219, dated 10/17/14) states:

*The water intake screen design will minimize the potential uptake of boulder darters. Lincoln County Board Public Utilities (LCBPU) and/or their consultants will allow adequate time to coordinate with and obtain approval from the Service and TWRA regarding the intake screen design, prior to construction of the intake, and the final design will incorporate recommendations from the Service and TWRA to minimize impacts to the boulder darter.*

TVA is seeking approval of these plans from your respective agencies. Please contact myself or Bo Baxter if you have any questions.

Thanks,

Andrew R. Henderson  
Aquatic Endangered Species Biologist  
Tennessee Valley Authority  
400 Summit Hill Drive, WT 11C  
Knoxville, TN 37902  
Phone: 865-632-3416

**TVA Natural Heritage Database queried by S. Strickland on 7/15/2015 for CEC 32413**

**Table 1. Records of state- and federal-listed aquatic animal species located within a 10 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
<i>Carpiodes velifer</i>	Highfin Carpsucker	E - Verified extant (viability not assessed)	TN	S2S3	NMGT	
<i>Etheostoma boschungii</i>	Slackwater Darter	E - Verified extant (viability not assessed)	TN	S1	THR	LT
<i>Etheostoma cinereum</i>	Ashy Darter	E - Verified extant (viability not assessed)	TN	S2S3	THR	
<i>Etheostoma wapiti</i>	Boulder Darter	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Fusconaia cor</i>	Shiny Pigtoe Pearlymussel	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Fusconaia cuneolus</i>	Fine-rayed Pigtoe	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Hemistena lata</i>	Cracking Pearlymussel	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Lampsilis virescens</i>	Alabama Lampmussel	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Lemiox rimosus</i>	Birdwing Pearlymussel	E - Verified extant (viability not assessed)	TN	S1	END	LE
<i>Lexingtonia dolabelloides</i>	Slabside Pearlymussel	E - Verified extant (viability not assessed)	TN	S2	TRKD	LE
<i>Lithasia lima</i>	Warty Rocksnail	H - Historical	TN	S2	TRKD	
<i>Lithasia lima</i>	Warty Rocksnail	E - Verified extant (viability not assessed)	TN	S2	TRKD	
<i>Obovaria subrotunda</i>	Round Hickorynut	E - Verified extant (viability not assessed)	TN	S2S3	TRKD	
<i>Quadrula cylindrica cylindrica</i>	Smooth Rabbitsfoot	E - Verified extant (viability not assessed)	TN	S3	TRKD	LT
<i>Quadrula intermedia</i>	Cumberland Monkeyface	E - Verified extant (viability not assessed)	TN	S1	END	LE

**Table 2. Records of state- and federal-listed plant species and champion tree points located within a 5 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
<i>Panax quinquefolius</i>	American ginseng	H - Historical	TN	S3S4	S-CE	
<i>Stellaria fontinalis</i>	Water Stitchwort	E - Verified extant (viability not assessed)	TN	S3	SPCO	

**Table 3. Records of state- and federal-listed terrestrial animal species and heronry points located within a 3 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
None Found						

**Table 4. Records of *Myotis soldalis* or *Myotis septentrionalis* located within a 10 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
None Found						

**Table 5. Records of Managed Areas (MABR) points located within a 5 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
None Found						

**Table 6. Records of Heritage Sites (SBR) points located within a 5 mile radius search**

None Found						
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**Table 7. Records of caves sites located within a 3 mile radius search**

<u>Scientific Name</u>	<u>Common Name</u>	<u>EO Rank</u>	<u>State</u>	<u>State Rank</u>	<u>State Status</u>	<u>Federal Status</u>
None Found						

**From:** [Morris, Lisa R LRN](#)  
**To:** [Strickland, Samantha J](#)  
**Subject:** RE: Lincoln County Intake - Elk River (MFR and Nationwide Permit 12 Letter) (UNCLASSIFIED)  
**Date:** Monday, July 13, 2015 4:02:57 PM  
**Attachments:** [Lincoln County SHPO letter 1.19.2011.pdf](#)

---

TVA External Message. Please use caution when opening.

Classification: UNCLASSIFIED  
Caveats: NONE

Sorry, I've been out until now.

Attached is the 2011 letter (actually it is dated Jan 19, 2014, my typo). I believe the latter concurrence was from our archaeologist stating the SHPO did not respond to our determination within the required timeframe, so we assumed concurrence. I'll try to pull the file tomorrow and send you a copy.

Lisa

-----Original Message-----

From: Strickland, Samantha J [<mailto:sjstrickland@tva.gov>]  
Sent: Monday, July 13, 2015 10:55 AM  
To: Morris, Lisa R LRN  
Subject: [EXTERNAL] RE: Lincoln County Intake - Elk River (MFR and Nationwide Permit 12 Letter) (UNCLASSIFIED)

Lisa - in the MFR for Lincoln you have SHPO concurrence Jan 10, 2011 and Aug 14, 2013. Can you send me these?

Thanks,  
Samantha  
256-386-2643

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-----Original Message-----

From: Morris, Lisa R LRN [<mailto:Lisa.R.Morris@usace.army.mil>]  
Sent: Thursday, November 13, 2014 1:29 PM  
To: Strickland, Samantha J  
Subject: RE: Lincoln County Intake - Elk River (MFR and Nationwide Permit 12 Letter) (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Attached is the Lincoln County intake MFR and NWP letter. I also included the word doc version, if needed. I believe you have all the attachments referenced. If not, let me know.

Thanks, Lisa

-----Original Message-----

From: Strickland, Samantha J [<mailto:sjstrickland@tva.gov>]  
Sent: Tuesday, October 21, 2014 9:59 AM  
To: Morris, Lisa R LRN  
Subject: [EXTERNAL] RE: Lincoln County (UNCLASSIFIED)

Lisa - just wanted to check in on the MFR from Lincoln.

Thanks,  
Samantha  
256-386-2643

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-----Original Message-----

From: Morris, Lisa R LRN [<mailto:Lisa.R.Morris@usace.army.mil>]  
Sent: Thursday, September 18, 2014 4:09 PM  
To: Strickland, Samantha J  
Subject: RE: James Marine and Lincoln County (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

1. Corps will not be preparing an EA, because the work meets the criteria of Nationwide Permit 12. The NWP 12 issued in 2012 covers water intakes.  
In the next couple of weeks, I'll prepare and send you an MFR to summarize all the information we collected including the results of the public notice issued several years ago. The MFR has most of the major components of the EA, just no alternatives analysis, or 404b1 guidelines evaluation.
2. Correct, about the MOA for James Marine. Our archaeologist is out and hasn't looked at the copy from Ron Diess, but she is aware of what is says.

Lisa

-----Original Message-----

From: Strickland, Samantha J [<mailto:sjstrickland@tva.gov>]  
Sent: Wednesday, September 17, 2014 2:44 PM  
To: Morris, Lisa R LRN  
Subject: [EXTERNAL] James Marine and Lincoln County

Lisa,

I wanted to follow-up on our phone conversation yesterday. On the MOA for James Maine, Ted Wells (TVA Archeology) was contacted by Ron Diess of the Rock Island District and informed that it would be forthcoming, but we have not received it yet. Once we receive, we will review and return an comments.

On Lincoln County and preparation of an EA. TVA will need to know if the Corps has determined that they will not be preparing an EA. In our last communication, June 25, 2014 just after the BO was issued, you indicated you

would be starting the EA. If the Corps has determined they will not be completing an EA, TVA will need to communicate this to the applicant as, more than likely, we will need to prepare an EA before we can issue the Section 26a permit.

Thanks,

Samantha

256-386-2643

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Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

**From:** [Morris, Lisa R LRN](#)  
**To:** [Strickland, Samantha J](#); [McNamee, Loretta](#)  
**Subject:** Lincoln County water intake TN Historical Commisision concurrence (UNCLASSIFIED)  
**Date:** Wednesday, June 27, 2012 3:14:32 PM  
**Attachments:** [Lincoln County Cultural Review.pdf](#)

---

Classification: UNCLASSIFIED  
Caveats: NONE

Jennifer Barnett sent the email response below. Also our archaeologist provided the attached cultural resources worksheet that I will use in the EA.

Thanks, Lisa

-----Original Message-----

From: McCormack, Valerie J LRN  
Sent: Wednesday, June 27, 2012 11:07 AM  
To: Morris, Lisa R LRN  
Subject: FW: Question on Lincoln County water intake (regulatory) (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Lisa,  
See message from Jennifer below. Does this suffice for your records? I do not think that THC/TDOA scans their signed letters and they just rely on the logs. I'm comfortable with this meeting NHPA. I'll send you a Cultural Resource Review form for your records to finalize everything.  
Thanks,  
Valerie

---

Valerie J. McCormack Ph.D  
Archaeologist  
Project Planning Branch  
U.S. Army Corps of Engineers, Nashville District  
(615) 736 - 7847

-----Original Message-----

From: Jennifer Barnett [<mailto:Jennifer.Barnett@tn.gov>]  
Sent: Wednesday, June 27, 2012 11:04 AM  
To: McCormack, Valerie J LRN  
Subject: RE: Question on Lincoln County water intake (regulatory) (UNCLASSIFIED)

My log shows that I determined a No Historic Properties Affected concurrence on Jan. 19, 2011.

Lisa Morris / COE-N / COE-N - PN#11-02/WATER INTAKE/ELK RM 75.3R - UNINCORPORATED / LINCOLN COUNTY /

REC'D Wednesday, January 12, 2011 / RESP 1/19/2011  
No Historic Properties Affected

- Jennifer

Jennifer Barnett  
Federal Programs Archaeologist  
TN Division of Archaeology



Cole Building #3  
1216 Foster Avenue  
Nashville, TN 37243

Phone: 615-7415-1588, ext. 105  
FAX: 615-741-7329  
Jennifer.Barnett@tn.gov

---

From: McCormack, Valerie J LRN [Valerie.J.McCormack@usace.army.mil]  
Sent: Wednesday, June 27, 2012 9:18 AM  
To: Jennifer Barnett  
Subject: Question on Lincoln County water intake (regulatory) (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Jennifer,  
I've been asked to check the status of a water intake project at Elk River Mile 75.3 Right Bank, Lincoln County. Lisa Morris is the project manager. She recalls sending the attached Public Notice, attached letter, and the Duvall negative findings report. She is unable to locate a response letter.

Do you have record of receiving this information and responding? Or do we need to submit it again?  
Thanks,  
Valerie

---

Valerie J. McCormack Ph.D  
Archaeologist  
Project Planning Branch  
U.S. Army Corps of Engineers, Nashville District  
(615) 736 - 7847

Classification: UNCLASSIFIED  
Caveats: NONE



**TENNESSEE HISTORICAL COMMISSION**  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
2941 LEBANON ROAD  
NASHVILLE, TN 37243-0442  
(615) 532-1550

January 19, 2011

Ms. Lisa Morris  
United States Army Corps of Engineers  
Nashville District  
Regulatory Branch  
3701 Bell Road  
Nashville, Tennessee 37214

RE: COE-N, ARCHAEOLOGICAL ASSESSMENT, PN#11-02/WATER INTAKE/ELK RM 75.3R,  
UNINCORPORATED, LINCOLN COUNTY, TN

Dear Ms. Morris:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we concur that the project area contains no historic properties eligible for listing in the National Register of Historic Places.

If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

E. Patrick McIntyre, Jr.  
Executive Director and  
State Historic Preservation Officer

EPM/jmb

JAN 21 2011

## Projected 20-Year Water Supply Needs for Lincoln County Board of Public Utilities

### Taft, Elora, and Flintville Zones

Year	Total System* Customers	TEF * Customers	TEF Average Demand (MGD)	TEF Peak Demand (MGD)
2009	8,300	7,815	1.938	2.229
2010	8,351	7,863	1.958	2.251
2011	8,693	7,911	1.970	2.265
2012	8,746	7,960	1.982	2.279
2013	8,800	8,009	1.994	2.293
2014	8,854	8,058	2.006	2.307
2015	8,909	8,108	2.019	2.322
2016	8,964	8,158	2.031	2.336
2017	9,019	8,208	2.044	2.350
2018	9,074	8,258	2.056	2.365
2019	9,130	8,309	2.069	2.379
2020	9,186	8,360	2.082	2.394
2021	9,243	8,412	2.094	2.409
2022	9,300	8,463	2.107	2.423
2023	9,357	8,515	2.120	2.438
2024	9,414	8,568	2.133	2.453
2025	9,472	8,621	2.146	2.468
2026	9,530	8,674	2.160	2.484
2027	9,589	8,727	2.173	2.499
2028	9,648	8,781	2.186	2.514
2029	9,707	8,835	2.200	2.530
2030	9,767	8,889	2.213	2.545

Year	New Farm ** Customers	Demand (MGD)
2009	0	0.000
2010	0	0.000
2011	1	0.008
2012	1	0.008
2013	1	0.008
2014	1	0.008
2015	2	0.016
2016	2	0.016
2017	2	0.016
2018	2	0.016
2019	3	0.024
2020	3	0.024
2021	3	0.024
2022	3	0.024
2023	4	0.032
2024	4	0.032
2025	4	0.032
2026	4	0.032
2027	5	0.040
2028	5	0.040
2029	5	0.040
2030	5	0.040

Year	Total TEF Average Demand (MGD)	Total TEF Peak Demand (MGD)
2009	1.938	2.229
2010	1.958	2.251
2011	1.978	2.265
2012	1.990	2.279
2013	2.002	2.293
2014	2.014	2.307
2015	2.035	2.322
2016	2.047	2.336
2017	2.060	2.350
2018	2.072	2.365
2019	2.093	2.379
2020	2.106	2.394
2021	2.118	2.409
2022	2.131	2.423
2023	2.152	2.438
2024	2.165	2.453
2025	2.178	2.468
2026	2.192	2.484
2027	2.213	2.499
2028	2.226	2.514
2029	2.240	2.530
2030	2.253	2.545

\*The percent increase in customers based on U. S. Census Bureau population projection of 0.615% increase per year.

TEF = Taft, Elora, and Flintville zones

Average water pumped per customer/day = 248.0 gallons

\*\* Chicken house farms estimated at 8,000 gallons per day. Numbers represent total new chicken house farms since 2009.

Based on the location of the intake on Elk River, TVA's guidelines indicate that the permit duration can be either 5 or 10 years. Because of resource concerns over low flows and the fact that T&E aquatic habitat exists in the area, a permit duration of 5 years will be used. Assuming construction commences in 2016, a 5 year duration corresponds with Lincoln County's 2021 peak projection of 2.433 mgd (2.409+0.024). Therefore, TVA will permit a maximum volume of 2.5 mgd for 5 years.

## Special Conditions/Requirements for Water Withdrawals

### Conditions and Requirements

1. Maximum peak day water withdrawal from the permitted intake site is restricted to \_\_\_\_\_ mgd.
2. This § 26a approval expires on \_\_\_\_\_, \_\_\_\_\_. In order to renew this approval, a Permittee must submit a renewal request to TVA no earlier than eighteen months and no later than 12 months PRIOR to this date. In the event that the approval expires without renewal, all permitted structures shall be removed at no cost to TVA absent TVA's written approval to leave structures in place.
3. Because this is an inter-basin transfer, Permittee is obligated to reimburse TVA for the loss in power benefits resulting from this water withdrawal in the amount of \$\_\_\_\_\_ per mgd for a total of \$\_\_\_\_\_ per year subject to such periodic adjustment by TVA to reflect changes in the estimate of power benefits. The first payment shall be due within 30 days of issuance of this approval as prorated for the remainder of the year, and thereafter shall be due by no later than January 15 of each subsequent year without request by TVA. Any adjustment to the estimate of lost power benefits shall first be discussed with Permittee and shall apply to the next year's payment upon written notice from TVA.
4. Because Permittee is located within TVA's Power Service Area and uses power generated by TVA, \_\_\_\_\_ percent of the assessed lost power benefit shall be waived from year to year until Permittee is otherwise notified in writing that this waiver has been terminated by TVA.
5. NO LATER THAN MARCH 1 of every year following issuance of this approval, Permittee shall report to TVA on the attached form the amount of water withdrawn and used by Permittee.
6. WITHOUT WRITTEN CONCURRENCE FROM TVA, water withdrawn from the Tennessee River System as a result of this § 26a approval SHALL NOT BE SOLD, DISTRIBUTED, OR OTHERWISE TRANSFERRED beyond the utility service territory existing on the date of this approval if the Permittee is a utility, or for other than the use(s) designated in the application by a non-utility Permittee.
7. Water withdrawn from the Tennessee River System as a result of this § 26a approval SHALL NOT BE USED to REPLACE other water supply sources that are sold, distributed or otherwise transferred beyond the utility service territory existing on the date of permit issuance WITHOUT WRITTEN CONCURRENCE FROM TVA.
8. TVA makes no warranty or representation to Permittee or any other entity that the LEVEL of any reservoir or stream will be maintained at or above any elevation. If the water level drops for any reason to a level where Permittee's intake operations or approved structure(s) are impacted, it is the responsibility of the Permittee to have sufficient emergency or contingency plans for alternate sources of water supply. PERMITTEE AGREES THAT IT SHALL MAKE NO CLAIMS AGAINST TVA RELATED TO ANY LOSS OF WATER SUPPLY FOR ANY POSSIBLE REASON, AND SHALL INDEMNIFY AND HOLD TVA HARMLESS FOR CLAIMS MADE BY OTHERS FOR ANY LOSS OF WATER SUPPLY THAT ARISES OUT OF THE ACTIVITIES AUTHORIZED BY THIS APPROVAL.
9. TVA makes no warranty or representation that the FLOW from or WATER QUALITY in any reservoir or stream will be maintained at or above any minimum flow or quality level. If the flow drops or water quality changes for any reason to a level where Permittee's intake operations or other approved activities are impacted, it is the responsibility of the Permittee to detect such changes and have sufficient emergency or contingency plans for alternate sources or treatment of water supply. PERMITTEE AGREES THAT IT SHALL MAKE NO CLAIMS AGAINST TVA FOR ANY LOSS OF INSTREAM FLOW OR DEGRADATION OF RAW WATER QUALITY FOR ANY POSSIBLE REASON, AND SHALL INDEMNIFY AND HOLD TVA HARMLESS FOR CLAIMS MADE BY OTHERS FOR ANY INJURIES OR DAMAGES RELATED TO WATER QUALITY OR LOSS OF WATER SUPPLY THAT ARISES OUT OF THE ACTIVITIES AUTHORIZED BY THE PERMIT.

If any condition of this approval is contested and the condition is removed or voided, this approval is revoked unless TVA, in its sole discretion, agrees in writing to continue it.

## WATER WITHDRAWAL ANNUAL REPORTING FORM

**(This report is due annually to TVA by MARCH 1)**

**Complete form and submit to:**

Tennessee Valley Authority  
River Management (LP 3D)  
ATTN: Gary Springston, Water Supply Program Manager  
1101 Market Street  
Chattanooga, Tennessee 37402

(Check One)

**Utility District / Water Supplier:**

**Industry**

**Irrigation**

Name:

Address:

City:

State:

ZIP:

Phone: (     )     -    

**Water Treatment Plant:**

Address:

City:

State:

ZIP:

Phone: (     )     -    

**Emergency Contact:**

Name:

Position:

Address:

City:

State:

ZIP:

Phone: (     )     -     Cell: (     )     -    

E-Mail:

**TVA 26a Permit:**

Issue Date:

Expiration Date:

**Calendar Reporting Year:**

Number of operational intakes:		
Location of intakes (waterbody and stream/river mile)		
Location 1 - Waterbody:		Stream/River Mile:
Location 2 - Waterbody:		Stream/River Mile:
Location 3 - Waterbody:		Stream/River Mile:
Pump capacity at each intake (mgd)		
Intake 1:	mgd	
Intake 2:	mgd	
Intake 3:	mgd	
Approximate number of customers		
Residential:	Commercial:	
Approximate number of customers outside the Tennessee Valley watershed		
Residential:	Commercial:	
Annual average withdrawal (mgd):		
Peak day withdrawal (mgd):		
5 Year projected annual average and peak day withdrawal (mgd):		and
Average monthly volume of backwash water discharged (gal):		
Backwash water discharge location		
sewer	waterbody (list):	
Annual average daily volume sold to other water suppliers (name and volume)		
Water Supplier:	Volume:	
Water Supplier:	Volume:	
Water Supplier:	Volume:	
Percent unaccounted for water:		
Source water quality problems:		
Problems with meeting drinking water standards:		
<b>Prepared By</b>		
Name:		
Position:		
Address:		
City:	State:	ZIP:
Phone: (     )     -     Cell: (     )     -		
Date:		

**Date of Request:** April 10, 2015

**Requested By:** Samantha Strickland

**Request Type:** 26a

**RLR Number:** 211556

**CEC Number:** 32413

**Applicant:** Ronnie Braden – Lincoln County Board of Public Utilities

**Proposed Activity:** Water intake, underground water line and associated infrastructure

**Location:** Elk River mile 75.4L

**Response Method:** Entered in ENTRAC

**Date of Response:** May 11, 2015

**Response Prepared By:** Carrie C. Mays

**Comments and Conditions:**

The proposed project involves the construction of a water intake facility at Elk River Mile 75.4, in Lincoln County, Tennessee. Dredging, excavation, a temporary cofferdam, installation of the intake piping, and riprap for bank stabilization would occur within the 100-year floodplain. Consistent with Executive Order 11988, these are considered to be repetitive actions in the floodplain. Based upon information provided by the applicant, the 100- and 500-year elevations at this location would be about 648 and 650 feet, respectively, vertical reference unknown. A check of the Lincoln County Flood Insurance Rate Map (FIRM) revealed that no base flood elevations have been computed at this location. Based upon the FIRM and the available topographic map, the 100-year flood elevation was estimated to be around elevation 642, thus the applicant's information appears conservative compared to the topographic estimate of the 100-year flood elevation.

The intake tower, carbon feed room, and parking area would be constructed outside the 100-year floodplain, which would be consistent with EO 11988. To minimize adverse impacts, all electrical controls for the pumps would be located above the 500-year flood elevation, and the excavated and dredged material would be located at an inland site outside the 100-year floodplain.

Flood Risk has no objection to the proposed project provided the following conditions are included in the final CEC and 26a approval:

1. If the river falls below the elevation of the intake, the applicant will be responsible for finding another source of raw water
2. You should contact your local government official(s) to ensure that this facility complies with all applicable local floodplain regulations

The stream reference should be listed as Elk River Mile 75.4L.

**Information Entered in ENTRAC:**

<u>Category</u>	<u>Potentially Affect the 100-Year Floodplain?</u>	<u>Permit(s)</u>	<u>Commitment(s)</u>
Part 2 #7 - Floodplains	Yes	No	No