

Tennessee Department of Environment and Conservation
General Aquatic Resource Alteration Permit for
Gravel Removal



Effective Date: April 7, 2020
Expiration Date: April 7, 2025

Activities Covered by this Permit

This general permit authorizes landowners to remove limited quantities of gravel from dry gravel bars for noncommercial use on their family farm or private residence.

Certain activities due to size, location or potential water quality impacts are not covered under this general permit, as described in both the Special and General Conditions sections. Activities not qualifying for authorization under this general permit may be authorized by an individual permit provided that all requirements of the *Tennessee Water Quality Control Act of 1977* (the Act) are met.

Special Conditions

1. The excavation of gravel is limited to 50 cubic yards annually per family farm or private residence.
2. The activity shall be conducted in the dry. Excavation equipment shall operate outside of the stream flow at all times.
3. A berm of at least five feet in width shall be left between the work area and the stream flow, or of such greater width as necessary to separate excavation from the water in the stream. For this permit, a berm is considered to be the natural, undisturbed material that is left between the dredging area and the stream flow.
4. This general permit does not authorize the removal of material that is generally not considered gravel. Gravel is defined as particles that range from sand up to 2.5 inches. Material that is not gravel includes soil, cobble, boulders, etc.
5. This general permit does not authorize the removal of gravel from areas of in-channel bars that have colonizing vegetation greater than 2-inches in diameter.
6. The excavation of gravel shall not extend below the water level of the stream at the time of dredging.
7. Access to the work area shall be made at one point only from the bank adjacent to the dry gravel bar, limiting the disruption of riparian vegetation to an area of less than 20 feet wide. Stream beds shall not be used as linear transportation routes for construction equipment.
8. Dredged material shall not be stored or stockpiled below the top bank of the stream channel. Dredged material shall be removed to an upland location.
9. The removal of gravel and bed load from the stream for the purpose of flood control or channelization is not covered.

10. The excavation of gravel for commercial purposes is not covered. The permittee may only use harvested gravel on their private farm or residence.

General Conditions


1. The amount of fill, stream channel and bank modifications, or other impacts associated with the activity shall be limited to the minimum necessary to accomplish the project purpose. The permittee shall utilize the least impactful practicable method of construction.
2. All activities must be accomplished in conformance with the approved plans, specifications, data, and other information submitted in support of the ARAP application (form CN-1091) (except where no application is required as specified below) and the limitations, requirements, and conditions set forth herein. Failure to comply with the terms and conditions of this permit is a violation of the Act.
3. Activities, either individually or cumulatively, that may result in an appreciable permanent loss of resource values to streams or wetlands are not covered. This general permit shall not be used incrementally to combine with other activities resulting in a net loss of water resource values.
4. Clearing, grubbing, and other disturbance to riparian vegetation shall be kept at the minimum necessary for slope construction and equipment operations. Unnecessary native riparian vegetation removal, including tree removal, is prohibited. Native riparian vegetation must be reestablished in all areas of disturbance outside of any permanent authorized structures after work is completed. Coverage under this permit does not serve to waive any local riparian buffer protection requirement, and permittees are responsible for obtaining any necessary local approval.
5. Widening of the stream channel as a result of this activity is prohibited.
6. This activity may not result in the permanent disruption to the movement of fish or other aquatic life upon project completion.
7. Blasting within 50 feet of any jurisdictional stream or wetland is prohibited.
8. Activities that directly impact wetlands, or impair surface water flow into or out of any wetland areas are not covered.
9. Activities located in a component of the National Wild and Scenic River System or waters designated as Outstanding National Resource Waters are not covered.
10. Activities occurring in known or likely habitat of state or federally listed threatened, endangered, deemed in need of management, or species of special concern may not be authorized without prior coordination with the Tennessee Wildlife Resources Agency (TWRA) and TDEC Division of Natural Areas (DNA) to determine if any special conditions are required to avoid and/or minimize harm to the listed species or their habitat. Adverse effects to federally listed threatened and endangered species are not authorized by this permit. Permittee is responsible for obtaining prior authorization from the United States Fish and Wildlife Service (USFWS) as required by Section 7 or Section 10 under the Endangered Species Act.
11. Work shall not commence until the permittee has obtained all necessary authorizations pursuant to applicable provisions of section 10 of The Rivers and Harbors Act of 1899, section 404 of the Clean Water Act, section 26a of The Tennessee Valley Authority Act, section 402 of the Clean Water Act

(including, but not limited to, an NPDES permit for construction stormwater), or any other federal, state, or local laws.

12. Backfill activities must be accomplished in the least impactful manner possible that stabilizes the streambed and banks to prevent erosion. The completed activities may not disrupt or impound stream flow.
13. The use of monofilament-type erosion control netting or blanket is prohibited in the stream channel, stream banks, or any disturbed riparian areas within 30 feet of top of bank.
14. This permit does not authorize impacts to cultural, historic, or archaeological features or sites.
15. This permit does not authorize access to public or private property. Arrangements concerning the use of public or private property shall be made with the landowner. The permittee is responsible for obtaining any additional permitting or maintenance agreements with other government or public agencies or lands.
16. All activities must be carried out in such a manner as will prevent violations of water quality criteria as stated in TDEC Rule Chapter 0400-40-03, or impairment of the uses of waters of the state as designated by Rule Chapter 0400-40-04.
17. Erosion prevention and sediment control measures must be in place and functional before any earth moving operations begin, and shall be designed according to the department's Erosion and Sediment Control Handbook (<http://tnepsc.org/handbook.asp>). Permanent vegetative stabilization using native species of all disturbed areas in or near the stream channel must be initiated within 14 days of project completion (see also Landscaping with Natives at tnepsc.org). Non-native, non-invasive annuals may be used as cover crops until native species can be established.

Obtaining Permit Coverage

As long as the landowner does not remove more than 50 cubic yards of gravel from their family farm or private residence annually, written notice is not required and work may commence without written authorization. Although written authorization is not required, the proposed activity shall be performed in accordance with all limitations, terms and conditions of this general permit.

APPROVED: 
Jennifer Dodd (Apr 7, 2020)
Jennifer Dodd
Director, Division of Water Resources

DATE: 04/07/2020