GENERAL PERMIT FOR THE ALTERATION OF WET WEATHER CONVEYANCES

Wet weather conveyances are defined in Rule 1200-4-3-.04 of the Rules of the Tennessee Department of Environment and Conservation. Rule 1200-4-3-.02(7) requires that waters designated as wet weather conveyances shall be protective of wildlife and humans that may come in contact with them and maintain standards applicable to all downstream waters. No other use classification or water quality criteria apply to these waters. Activities which result in the alteration of wet weather conveyances are permitted by this general permit provided the activity does not result in the discharge of waste or other substances which may be harmful to humans or wildlife, and that erosion and sedimentation and other pollution control mechanisms are employed to maintain the quality of downstream waters. In addition, no portion of the activity may be located in the known habitat of a species formally listed on State or Federal lists of threatened or endangered species. Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Paul E. Davis

Paul E. Davis
Director

Aug. 1, 1996
Date

GENERAL PERMIT FOR ROAD CROSSINGS

(1) Construction of road crossings of waters is hereby permitted provided the activity is done in accordance with the terms and conditions below and provided:

(a) an individual permit is not required

(b) no portion of the activity is located in wetlands

(c) no portion of the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters

(d) no portion of the activity is located in any waterway which has been identified by the Department as having contaminated sediments

(e) no portion of the activity is located in the known habitat of a species formally listed on State or Federal lists of threatened or endangered species

(f) the total length of stream encapsulation is 200 linear feet or less

(2) Where the total width of fill or disturbance to the stream channel for construction of the road crossing is less than 25 feet, notification to the Division is not required, however the general terms and conditions below apply.

(3) Where the total width of fill or disturbance to the stream channel for construction of the road crossing is greater than 25 feet, the following special conditions apply

GENERAL PERMIT FOR UTILITY LINE CROSSINGS OF STREAMS

(1) Construction, maintenance, repair, rehabilitation or replacement of utility line crossings of streams is hereby permitted without notification requirement provided the activity is done in accordance with the terms and conditions and provided:

(a) an individual permit is not required

(b) no portion of the activity is located in wetlands, except in accordance with item 3 below

(c) no portion of the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters

(d) no portion of the activity is located in any waterway which is identified by the Department as having contaminated sediments

(e) the activity will not permanently disrupt the movement of aquatic life

(f) no portion of the activity is located in the known habitat of a species formally listed on State or Federal lists of threatened, or endangered species

(2) For the purpose of this general permit, bodies of water defined as navigable pursuant to Section 10 of *the Rivers and Harbors Act of 1899* are subject to different restrictions than all other waters regarding the specific construction methodologies to be employed under this general permit.

(a) Where the activity is located in waters which are not navigable pursuant to § 10, excavation and fill activities shall be separated from flowing waters. All surface water flowing toward the excavation or fill work shall be diverted, piped or flumed to the downstream side of the work. This can be accomplished through utilization of cofferdams or constructed berms in conjunction with a pipe or flume. Cofferdams must be constructed of sand bags, clean rock, steel sheeting or other non-erodible material. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

(b) Where the activity is located in waters defined as navigable pursuant to § 10 of *the Rivers and Harbors Act of 1899*, excavation and fill work may be accomplished within the water column.

(3) Maintenance, repair and rehabilitation of existing facilities in wetlands is authorized under the following special provisions:

(a) the total amount of excavation or fill does not exceed ten cubic yards

(b) the wetlands alteration is located within the right of way of the existing facility

(c) fill activities for the construction of equipment access roads is not authorized in wetlands

(4) General Terms and Conditions

(a) New utility line crossings shall be located such as to avoid permanent alteration or damage to the integrity of the stream channel. Large trees, steep banks, rock outcroppings, etc. should be avoided.

(b) In the case of proposed gravity sewer lines and other utility lines which follow the stream gradient or otherwise parallel the stream channel, the number of crossings shall be minimized. Where cumulative impacts are likely because of numerous crossings, an individual permit may be required.

(c) The alignment of new utility line crossings shall intersect the stream channel as close to 90 degrees or as perpendicular as possible, and in no case less than 45 degrees angle from the center line of the stream.

(d) In the case of small streams with a bedrock stream bed which must be blasted to form a trench, provision shall be made to prevent the loss of stream flow to fracturing of the bedrock. Where loss of surface flow is likely to occur, an individual permit may be required.

(e) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

(f) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

(g) Backfill activities must be accomplished in a manner which stabilizes the stream bed and banks to prevent erosion. Backfill materials shall consist of suitable materials free of contaminants. All contours must be returned to pre-project conditions. The completed work may not disrupt or impound stream flow.

(h) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

(i) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

(j) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

(k) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the stream bed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

(l) Construction debris must be kept from entering the stream channel.

(m) All spills of petroleum products or other chemical pollutants 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.

(n) Upon achievement of final grade, the disturbed streambank shall be stabilized with riprap or other suitable material. All other disturbed soils must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes; and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

(o) Upon completion of construction, the stream shall be returned as nearly as possible to its original, natural conditions.

(p) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Paul E. Davis

Paul E. Davis
Director

Aug. 1, 1996

Date

GENERAL PERMIT FOR BANK STABILIZATION ACTIVITIES

(1) Bank stabilization activities are hereby permitted provided the activity is done in accordance with the terms and conditions below and provided:

(a) an individual permit is not required

(b) the activity is necessary to repair or prevent bank erosion

(c) no portion of the activity is located in wetlands

(d) no portion of the activity is located in a component of the National Wild and Scenic River

System, a State Scenic River, or waters designated as Outstanding National Resource Waters

(e) no portion of the activity is located in any waterway which is identified by the Department as having contaminated sediments

(f) the activity will not permanently disrupt the movement of aquatic life

(g) no portion of the activity is located in the known habitat of a species formally listed on State or Federal lists of threatened, or endangered species

(2) Where the activity is located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers, notification to the Division is not required. However, prior to commencement of construction, the applicant must have received any necessary authorizations pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1899*, §404 of *The Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.

(3) Where the activity is not located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers, the following special conditions also apply:

(a) The applicant shall notify the Division by submission of an application which includes the following minimum information:

1. a map showing the exact location of the proposed construction site

2. a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures

(b) Stream alteration activities shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

(c) The unnecessary removal of living trees and other riparian vegetation which help comprise the integrity of the stream bank or which help provide canopy or shade to the waters; or, the placement of fill which would otherwise injure or damage stream side vegetation is not authorized by this general permit.

(d) Grading, sloping, dredging or reshaping of the stream banks or bed shall be limited to the minimum necessary to accommodate stabilization and armoring materials.

(e) The discharge of riprap is limited to 200 linear feet of stream bank. Vegetative or bioengineering methods of bank stabilization are not subject to this restriction.

(4) General Terms and Conditions

(a) Stream bank disturbance associated with stabilization shall be limited to the minimum needed for abatement and prevention of stream bank erosion

(b) Material may not be placed in such location or manner so as to impair surface water flow into or out of any wetland area.

(c) Materials used in stabilization shall include clean rock, rip rap or anchored trees or other non-erodible materials found in the natural environment. Stabilization materials shall not include gravel, sand, sediments, chert, soil, or other materials that are likely to erode. Materials to be discharged shall be free of contaminants, including toxic pollutants, hazardous substances, waste metal, construction debris, organic materials, etc.

(d) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the stream bed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

(e) Vegetation and debris disturbed by activity at the construction site shall be removed from the site to such a location so as to prevent reentry into the waterway.

(f) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

(g) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

(h) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat or to cultural, historical, or archeological features or sites is prohibited.

Paul E. Davis — Aug. 1, 1996

Paul E. Davis
Director

Date

GENERAL PERMIT FOR SAND AND GRAVEL DREDGING

(1) This general permit applies to the excavation of dry gravel bars from streams and rivers for the purpose of gravel or sand recovery. Gravel and sand dredging is hereby permitted provided it is done in accordance with all terms and conditions of this general permit and provided:

(a) an individual permit is not required