



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT, CORPS OF ENGINEERS**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**  
[www.swl.usace.army.mil/](http://www.swl.usace.army.mil/)

REPLY TO  
ATTENTION OF

CESWL-RD

December 6, 2010

**09092-GF**

**JOINT PUBLIC NOTICE**  
**CORPS OF ENGINEERS - STATES OF ARKANSAS AND MISSOURI**

**RENEWAL OF A GENERAL PERMIT**

for the placement of dredged and fill material in waters of the United States associated with the installation of water intakes, pumps, and connecting water pipelines, including intakes and coils for heating and cooling systems.

**TO WHOM IT MAY CONCERN:**

Background. On October 14, 2009, the Little Rock District Corps of Engineers issued a joint public notice with the States of Arkansas and Missouri announcing consideration of a time extension for a general permit for water intakes, pumps, and connecting water pipelines, including intakes and coils for heating and cooling systems. The authority for permit issuance is found in Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344). Corps districts are authorized to develop general permits in accordance with Title 33, Code of Federal Regulations Parts 325.2(e)(2) and 325.5(c)(1).

Determination to Extend. After reviewing the previous actions authorized under this general permit and comments received on the public notice, it is our assessment that the work authorized will not have significant adverse environmental impacts and that the public interest will be served by extending the period of the general permit.

The policies of this general permit will be subject to reconsideration at any time, but will be reviewed at least every five (5) years. This general permit is therefore extended for a period of five years until December 31, 2015, unless it is revoked or specifically extended in the interim.

Notification/Verification Requirement. Anyone wanting to do work under the proposed general permit would have to notify the Little Rock District and receive verification that the proposed work met the limits of the general permit. The notification/verification details are outlined in the Procedures for Verifying Authorization attached to the general permit.

Consideration of New/Additional Information. If additional information, developed during the life of the permit, indicates factors contrary to the public interest, this general permit may be suspended, modified, or revoked.

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Interested parties are requested to provide comments on this general permit at any time during the life of the permit. Comments should be addressed to Chief, Regulatory Division, US Army Corps of Engineers, PO Box 867, Little Rock, Arkansas 72203-0867.

**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

Enclosures

Joyce C. Perser  
Chief, Regulatory Division

## DEPARTMENT OF THE ARMY PERMIT

Permittee: **US Army Corps of Engineers**

Permit No.: **09092-GF**

Issuing Office: Department of the Army  
Little Rock District  
PO Box 867  
Little Rock, Arkansas 72203-0867

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description: Work authorized under this general permit is limited to the construction, operation and maintenance of permanent water intakes and pumps with underground water pipelines, including intakes and pumps with heating and cooling systems, and the construction and maintenance of temporary water intakes and water lines with pumps, in which the maximum withdrawal rate does not exceed one acre-foot per year or a total of 325,900 gallons per year. Also authorized is the construction of berms, pads, or dikes associated with excavation for installation of pumps and to provide submersion of the pump (see Special Condition No. 8).**

**Maintenance of intakes and pumps under this general permit includes excavation and removal of accumulated sediment in the immediate area of the intake opening to previously authorized depths or controlling depths for improved flow. All dredged material shall be disposed at an upland site and proper siltation controls shall be used.**

**An example of typical work, which falls within the scope of this general permit, is shown on the attached drawings.**

**Project Location: The work is authorized in all waters of the United States within the Little Rock District in the States of Arkansas and Missouri. On US Army Corps of Engineers lakes, reservoirs, and fee and easement lands projects must comply with the District Commander's Policy Memorandum No. 2010-02 prohibiting submersible pumps.**

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Permit Conditions:

General Conditions:

1. Authorization under this general permit is valid for **three years** from the date of your verification letter unless the general permit is modified, revoked, or suspended. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition four below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

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Special Conditions:

- 1. In Missouri, the primary responsibility for allocating water quantities rests with the Department of Natural Resources, Water Protection Division, PO Box 176, Jefferson City, Missouri 65102-0176. Since in Missouri only major water users (those who use 100,000 gallons per day or more) are required to register water usage, you will not be required to register the water usage authorized by this general permit.**
- 2. In Arkansas, the primary responsibility for allocating water quantities rests with the Arkansas Natural Resources Commission, and Arkansas State Law (Act 180 of 1969) requires the registration of surface water diversions with that agency. For purposes of this Department of the Army permit, the maximum withdrawal rate, as recommended by the Director, Arkansas Natural Resources Commission shall not exceed one acre-foot per year (325,900 gallons). However, during low stream flow conditions the Commission may allocate amounts of water withdrawal and may require you, through their authority, to reduce your withdrawal rate significantly.**
- 3. You shall perform all construction and maintenance activities in a manner that will minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life.**
- 4. Material used for construction or discharged must be free from toxic pollutants in toxic amounts.**
- 5. You shall place all excess excavated material on a non-wetland, upland site and not allow any runoff water from the disposal site to enter the waterway. Also, no material will be placed on lands or flowage easements belonging to the United States without prior approval from the Corps of Engineers.**
- 6. Your facility will not be authorized in an area classified as a wetland.**
- 7. You shall perform all construction and maintenance in such a manner as to not jeopardize the existence of a threatened or endangered species or its critical habitat, as identified under the Endangered Species Act.**
- 8. You shall use no more than ten cubic yards of dredged or fill material in the construction of a berm, pad, or dike for installation of a pump or to provide submersion, and shall not place the material in such a way as to block the channel or cause stream diversion.**

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**9. You shall perform the authorized activity in such a manner as to not cause unreasonable interference with navigation, including recreational boating.**

**10. You shall perform the authorized activity in such a manner as to not significantly disrupt the movement of those species of aquatic life indigenous to the waterbody.**

**11. You shall seed, replant, or give some other equivalent type of protection against subsequent erosion to all areas disturbed or newly created by your construction or maintenance activity.**

**12. If your authorized activity involves use of Government-owned land you must obtain written approval from the Chief, Real Estate Division and/or the Operations Project Manager at the appropriate Corps Project Office. This General Permit will not be valid unless the appropriate easement or permit can be obtained for the use of Government-owned land. Additional conditions for the placement, construction and operation of the impacted area will be included in these documents.**

**13. For any intake structure authorized by this General Permit, you shall securely screen the intake pipe against the entry therein of any fish.**

**14. If you discover any human remains while accomplishing the activity authorized by this general permit, you must immediately notify this office of what you have found. We will initiate consultation efforts with the appropriate Law Enforcement Agencies and/or Native American Tribe(s).**

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

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2. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See four above).

CESWL-RD

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Enclosures

## PROCEDURES FOR VERIFYING AUTHORIZATION

GENERAL PERMIT – **09092-GF**

For the placement of dredged and fill material in waters of the United States associated with the installation of water intakes, pumps, and connecting water pipelines, including intakes and coils for heating and cooling systems.

1. The US Army Corps of Engineers, Little Rock District, has issued the attached general permit for water intakes, pumps, and connecting water pipelines, including intakes and coils for heating and cooling systems in all waters of the United States within the States of Arkansas and Missouri.

Work authorized under this general permit would be limited to the construction of permanent water intakes and pumps with underground water pipelines, including intakes and pumps with heating and cooling systems, and the construction of temporary water intakes and water lines with pumps, in which the maximum withdrawal rate does not exceed one acre-foot per year or a total of 325, 900 gallons per year. Work authorized under this general permit must be in compliance with the District Commander's Policy Memorandum No. 2010-02, which prohibits the use of submersible pumps on US Army Corps of Engineers lakes, reservoirs, and fee and easement lands. Also authorized is the construction of berms, pads, or dikes associated with excavation for installation of pumps and to provide submersion of the pump (see Special Condition No. 8 of the permit).

The general permit is currently valid until **December 31, 2015**. The following procedures must be followed to verify authorization to do work under this general permit.

2. **Procedures for Verifying Authorization.** You shall use the following procedures in verifying authorization under this general permit.

a. You shall submit a written description of the proposed work at least 60 days prior to proposed commencement of work to the District Engineer, ATTN: CESWL-RD, US Army Corps of Engineers, Little Rock District, PO Box 867, Little Rock, Arkansas 72203-0867, or the appropriate Operations Project Manager for the Project Office involved, as listed below:

## PROJECT OFFICE

Arkansas River  
Upstream of Murray Lock and Dam

## ADDRESS

Operations Project Manager  
Russellville Project Office  
Corps of Engineers  
1598 Lock & Dam Road  
Russellville, Arkansas 72802

CESWL-RD

Arkansas River  
Downstream of Murray Lock and Dam

Operations Project Manager  
Pine Bluff Resident Office  
Corps of Engineers  
4305 Charles W. Wooden Road  
Pine Bluff, Arkansas 71611

Beaver

Operations Project Manager  
Beaver Project Office  
Corps of Engineers  
2260 North 2<sup>nd</sup> Street  
Rogers, Arkansas 72756

Bull Shoals  
Norfolk

Operations Project Manager  
Mountain Home Project Office  
Corps of Engineers  
324 West 7<sup>th</sup> Street  
Mountain Home, Arkansas 72653

Clearwater

Operations Project Manager  
Clearwater Project Office  
Corps of Engineers  
RR #3, Box 3559D  
Piedmont, Missouri 63957

Dardanelle  
Ozark

Operations Project Manager  
Russellville Project Office  
Corps of Engineers  
PO Box 1087  
Russellville, Arkansas 72801

Greers Ferry

Operations Project Manager  
Greers Ferry Project Office  
Corps of Engineers  
700 Heber Springs Road North or  
PO Box 1088  
Heber Springs, Arkansas 72543

Millwood  
Dequeen  
Dierks  
Gillham

Operations Project Manager  
Millwood-Tri Lakes Project Office  
1528 Highway 32 East  
Ashdown, Arkansas 71822

CESWL-RD

Nimrod  
Blue Mountain

Operations Project Manager  
Nimrod- Blue Mountain Project Office  
Corps of Engineers  
3 Highway 7 South  
Plainview, Arkansas 72857

Table Rock

Operations Project Manager  
Table Rock Project Office  
Corps of Engineers  
4600 State Highway 165  
Branson, Missouri 65616-8980

b. Included with the submittal shall be drawings that accurately depict the work and its exact location. The type, sizes, and quantities of structures and/or materials to be used should be fully described, including appropriate dimensions.

c. Upon receipt of your request, the District's Regulatory Project Manager will determine whether the work falls within the criteria established by this general permit. The length of time required to process each request under this general permit will be directly related to the adequacy and completeness of the information you submit. The Project Manager will coordinate the request with other District subject matter experts as follows:

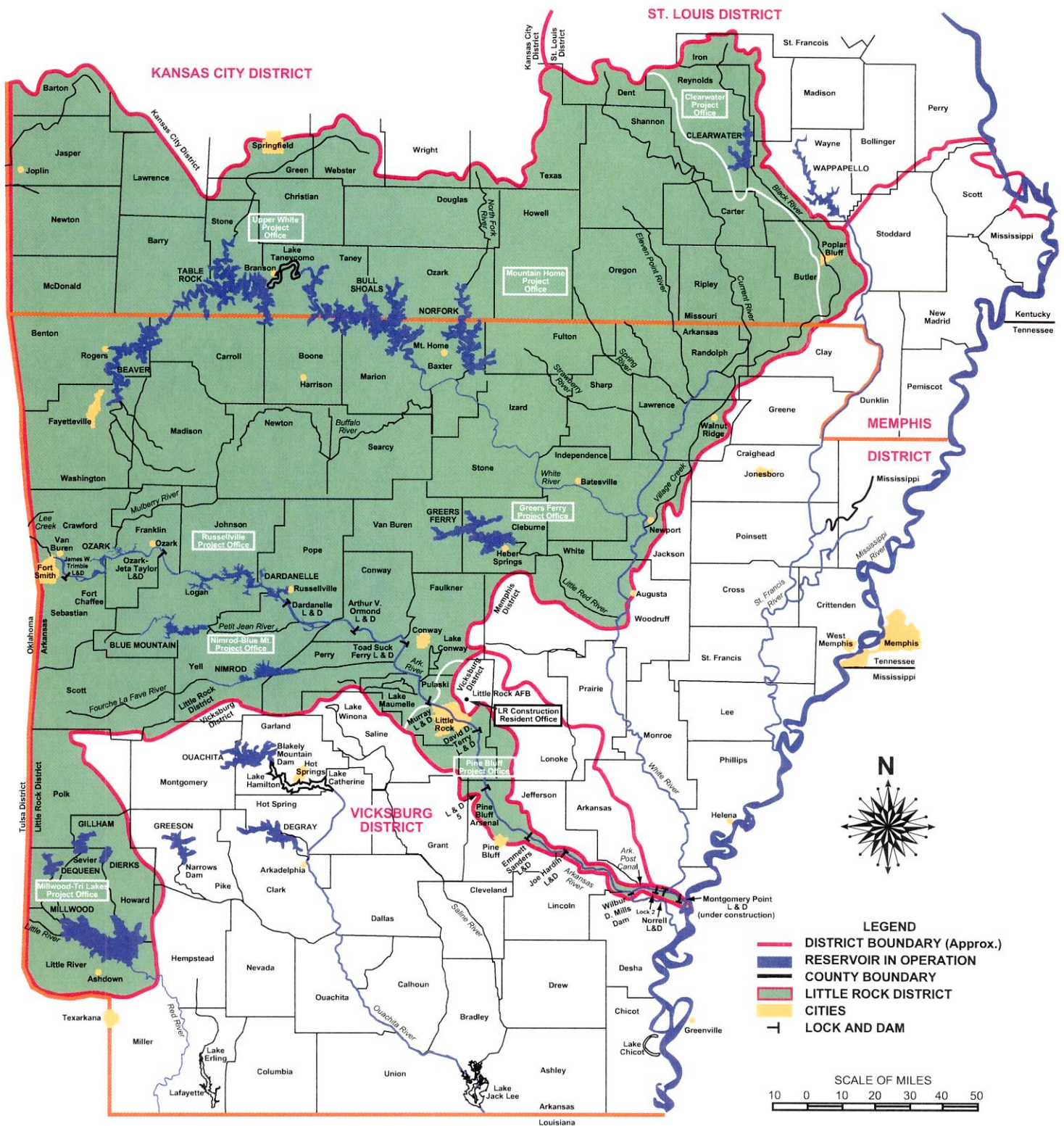
(1) To comply with the intent of the National Historic Preservation Act (NHPA), each proposed activity will be coordinated with our staff archeologists.

(2) Any project located on Section 10 navigable waterways will be coordinated with the Engineering Division Hydraulics Section and the Operations Technical Support Branch.

(3) All requests for authorization under this general permit will be coordinated with the District expert on floodplains.

(4) In areas where the Corps has acquired an interest in the real estate, such as easements for occasional flooding, the request will be coordinated with Real Estate Branch. If the request for use of the real estate is disapproved, the authority granted under this general permit would be null and void.

You will receive a letter of verification if the work is covered by the general permit. If the work cannot be authorized under this general permit, you will be notified that your application must be processed under other procedures, which may involve submission of additional information and likely issuance of a public notice.



ACTION NO. 09092-GF

Little Rock District in Arkansas and Missouri  
INTAKES, PUMPS, PIPELINES  
INCLUDING COILS

November 2010

Sheet 1 of 2

SAMPLE D R A W I N G

FLOW

Dardanella Lake -  
elevation 338.0 ft. m.s.l.

1" PVC water Pipeline  
buried 18" deep

Government  
Boundary Marker

200'

2.5 H.P. Gasoline Pump

Garden

Private Property

20'

150'

10'

Government  
Boundary

# ADEQ

ARKANSAS  
Department of Environmental Quality

December 11, 2009

Colonel Donald E. Jackson, Jr.  
District Commander, Little Rock District Corps of Engineers  
P. O. Box 867  
Little Rock, Arkansas 72203-0867

RE: Public Notice: Re-issuance of General Permit 09092-GS:

Dear Colonel Jackson:

The Arkansas Department of Environmental Quality ("ADEQ") has completed its review of the above referenced public notice for re-issuance of the U.S. Army Corps of Engineers General Permit 09092-GS for the State of Arkansas.

ADEQ has determined that there is a reasonable assurance that this activity will be conducted in a manner which, according to the Arkansas Pollution Control and Ecology Commission's Regulation No. 2, will not physically alter a significant segment of a waterbody, and will not violate the water quality criteria.

Pursuant to §401(a)(1) of the Clean Water Act, the ADEQ hereby issues water quality certification for this project contingent upon the following conditions:

- 1) Individual Water Quality Certification requests must be submitted to ADEQ for any activity impacting Extraordinary Resource Waters, Ecologically Sensitive Waters, and Natural and Scenic Waters as identified in Regulation # 2.
- 2) The applicant shall contact ADEQ for a Short Term Activity Authorization needs determination for activities that have the potential to violate water quality criteria.
- 3) The applicant shall comply with NPDES Storm Water Program requirements.

Please contact Jason Hooks of the Water Division at (501) 682-0028 if you have any questions regarding this certification.

Sincerely,



Teresa Marks  
Director

cc: Christopher G. Davies, Project Manager, Little Rock District, USACE  
J. Randy Young, P.E., Chairman, Technical Review Committee, ANRC  
Craig Uyeda, Chief, River Basins Section, Arkansas Game and Fish Commission  
Wanda Boyd, Region VI, Environmental Protection Agency



Jeremiah W. (Jay) Nixon, Governor • Mark N. Templeton, Director

## DEPARTMENT OF NATURAL RESOURCES

[www.dnr.mo.gov](http://www.dnr.mo.gov)

**FEB - 8 2010**

Colonel Donald E. Jackson, Jr., District Engineer  
Little Rock District, Regulatory Division  
Army Corps of Engineers  
P.O. Box 867  
Little Rock, AR 72203-0867

Regional General Permit  
09092-GF/CEL000334

Dear Colonel Jackson:

The Missouri Department of Natural Resources' Water Protection Program (Department) has reviewed Public Notice No. 09092-GF/CEL000334 in which the Army Corps of Engineers, Little Rock District, proposes to extend the Regional General Permit 09092-GF an additional five (5) years. On September 19, 1989, the Army Corps of Engineers, Little Rock District, issued a general permit for the installation of water intakes, pumps and connecting water pipelines, including intakes and coils for heating and cooling systems. The permit has been renewed three times. The work that is authorized under this permit will have no significant individual or cumulative adverse environmental impacts.

This office hereby issues this certification subject to the applicant's compliance with the following conditions:

1. Missouri statutes require that major water users (any entity with the capacity to withdraw 100,000 gallons per day or greater from any source) must register with the Department and report their annual water withdrawal. Major water user registration and reporting forms should be mailed to the Missouri Department of Natural Resources, Water Resources Center, P.O. Box 250, Rolla, MO 65401.
2. Best management practices shall be used during all phases of the project to limit the amount of sedimentation into adjacent water bodies.
3. Only clean, non-polluted materials shall be used.
4. Project activities shall be conducted during times of low water.
5. Clearing of vegetation/trees shall be the minimum necessary to accomplish the activity.
6. Any material excavated shall immediately be removed to an upland, non-wetland site.
7. Care shall be taken to keep machinery out of the waterway as much as possible. Fuel, oil, other petroleum products, equipment and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours.



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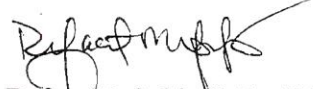
8. The streambed gradient shall not be permanently altered during project construction.
9. Material resulting from trench excavation shall not be temporarily sidecast into waters of the state.
10. Directional boring under the streambed to avoid impacts to waters of the state shall be utilized. For utility crossings that must disturb the streambed, work shall be conducted in such a manner as to seal off the work area from flow.
11. Stream crossings shall be placed as close to perpendicular as possible, and be limited to a maximum crossing length of no more than one and one-half times the width of the stream.
12. Other state and federal permits may be required for certain activities. Applicants with questions are encouraged to call the Department's Regional Office. A regional office map and contact information can be located at [www.dnr.mo.gov/regions/regions.htm](http://www.dnr.mo.gov/regions/regions.htm).

You may appeal to have the matter heard by the Administrative Hearing Commission (commission). To appeal, you must file a petition with the commission within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the commission.

Water Quality Standards must be met during any operations authorized by these permits. If you have any questions, please contact Ms. Carrie M. Schulte by phone at (573) 751-7023, by e-mail at [carrie.schulte@dnr.mo.gov](mailto:carrie.schulte@dnr.mo.gov), or by mail at Missouri Department of Natural Resources, Water Protection Program, NPDES Permits and Engineering Section, P.O. Box 176, Jefferson City, MO 65109. Thank you for working with the Department to protect our environment.

Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief  
NPDES Permits and Engineering Section

RM:csp

- c:
- Ms. Pamela Foster, Southeast Regional Office
  - Mr. Bill Goodwin, Missouri Department of Conservation
  - Mr. Brad Ledbetter, Southeast Regional Office
  - Mr. Mickey Matthews, Army Corps of Engineers, Little Rock District
  - Mr. Mike Smith, Missouri Department of Conservation
  - Ms. Janet Sternburg, Missouri Department of Conservation
  - Ms. Tina White, Southwest Regional Office



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF

CESWL-OP

17 Aug 2010

DISTRICT COMMANDER'S POLICY MEMORANDUM NO. 2010-02

SUBJECT: Removal of Submersible Pumps from Little Rock District Projects.

1. References:

- a. Title 36, Parks, Forest, and Public Property Chapter 111, U.S. Army Corps of Engineers, dated 5 May 2000.
- b. National Fire Protection Association, NFPA 70: National Electrical Code, 2008 Edition.
- c. Underwriters Laboratory Standard for Motor-Operated Water Pumps, UL 778, dated 22 Feb, 2010.
- d. USACE Safety and Health Requirements Manual (EM 385-1-1), 15 Sept 2008.

2. Purpose. This policy provides specific guidance for the removal of privately-owned submersible water pumps from Little Rock District Projects. It also authorizes the use of other privately-owned water pumps, such as centrifugal style, for use in the Little Rock District. The use of such pumps must comply with the conditions specified herein.

The requirements of this policy are specific to privately-owned submersible pumps, being used for domestic purposes. These operations are inherently in locations where swimmers or waders may come into contact with the pump. However, Little Rock District personnel will also be reviewing the operations of other entities, with water withdrawal authorizations for municipal and industrial use, to ensure they are being operated in a safe and approved manner for the type of pump being used.

3. Applicability. This policy applies to all lakes, reservoirs, and fee and easement lands within Little Rock District's civil works boundaries.

4. As of the date of this policy, the Little Rock District will no longer authorize the use of submersible pumps, as defined by UL 778, for private individuals to withdraw water at Little Rock District authorized civil works projects. Existing submersible pumps and associated electrical components must be removed from Little Rock District authorized civil works projects effective immediately.

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SUBJECT: Removal of Submersible Pumps from Little Rock District Projects.

5. This immediate restriction is based on comprehensive research and a recent Electrical Professional Engineering technical review of manufacturer's manuals for the types of submersible pumps most commonly used in Little Rock District. Each manual studied specifically prohibits the installation and use of the submersible pumps in open bodies of water or areas where swimmers or waders may unknowingly approach, or even come in contact with the pump and/or its power supply. Additionally, the Underwriters Laboratories (UL) Standard 778, which is the standard by which most submersible pumps are tested, specifically states that a pump and motor combination tested and listed by the standard has not been tested for use in areas where swimmers might be present. Therefore, installing the pump and motor in such an area would violate the listing and would be prohibited. Their immediate removal for safety reasons will eliminate a potential source for electrical shock or electrocution from public waters.

6. Little Rock District personnel may continue to authorize the use of other types of water pumps if the following conditions are met:

- a) The applicant has approval from the appropriate state water management agency, and
- b) The pump's electrical service, including the motor, connections and terminations are located off of any Project lands that are subject to inundation and any lands encumbered by Corps of Engineers flowage easement, or
- c) The pump and its electrical service, including the motor, connections and terminations, are located on or above the deck of an authorized commercial concession lease dock and the installation has been certified by a licensed electrician.

  
GLEN A. MASSET  
Colonel, EN  
Commanding

DISTRIBUTION:

Operations Project Managers/Lake Managers  
Chief, Operations Division  
Chief, Real Estate Division  
Chief, Regulatory Division  
Chief, Planning and Environmental Division  
Chief, Safety Office  
Chief, Public Affairs Office  
Chief, Office of Counsel