



Natural Resources Conservation Service
760 South Broadway
Salina, Kansas 67401-4604

Phone: 785-823-4500
FAX: 785-823-4540
www.ks.nrcs.usda.gov

May 26, 2010

KANSAS ENVIRONMENT TECHNICAL NOTE KS-7

SUBJECT: TCH – Biology – General Permit (GP) 40

Purpose. Provide the current website location for the "Request for GP-40 Authorization" form at:
<http://www.nwk.usace.army.mil/Missions/RegulatoryBranch/GeneralPermits.aspx>

Effective Date. Effective upon receipt

The U.S. Army Corps of Engineers (USACE) under authority of Section 404 of the Clean Water Act (33 U.S. Code [USC] 1344), issued GP-40 which is in effect until March 18, 2013, unless revoked or extended. USACE authority regulates dredged or fill material in waters of the United States. GP-40, under USACE jurisdiction, may be appropriate for the following Natural Resources Conservation Service (NRCS) Conservation Practices:

- Diversion
- Grassed Waterway
- Grade Stabilization Structure
- Heavy Use Area Protection
- Pipeline
- Pond (up to 15 acre feet)
- Spring Development
- Water and Sediment Control Basin
- Wetland Enhancement
- Wetland Creation
- Wetland Restoration

The USACE GP-40 requires written pre-construction notification. Where GP-40 is not appropriate, the USACE will be contacted to provide a Jurisdictional Determination (JD). General Manual Title 190 Section 410.26, the National Food Security Act Manual Section 514.1 (G), and other applicable laws or local ordinances can provide policy and guidance related to coordination with the USACE and the need for a JD.

DIST: E

References to this technical note are being made within appropriate sections of the electronic Field Office Technical Guide (eFOTG) as reviews and revisions are completed. In addition to the website provided, the GP-40 form may be obtained by written request or by telephone. Details and instructions are included in the on-line public notice. Please direct questions and requests for information to the Regulatory Team Leader, Kanopolis Satellite Office, at 785-546-2130 or by e-mail to Luke.M.Cory@usace.army.mil.

(signed)

R. DEAN KREHBIEL
Acting State Resource Conservationist