



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers, ATTN: CENAN-OP-RU
Upstate Regulatory Field Office
1 Buffington St., Building 10, 3rd Fl. North
Watervliet, New York 12189-4000

NOV 01 2018

Upstate New York Section

SUBJECT: Permit Application No. NAN-2015-00752-ULA
by Meyer, Christopher
Town of Guilderland, Albany County, New York

Christopher Meyer
41 Breeman Street
Albany, New York 12205

Dear Mr. Meyer:

On July 1, 2015, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the discharge of fill material into waters of the United States for the construction of a residential development. The site is located in the Hudson River waterway, along the north side of Depot Road, in the Town of Guilderland, Albany County, New York.

The submittals received by this office on June 7, 2018 and October 10, 2018, including the drawing entitled "Wetland Impact Plan", Sheet 2 of 5, prepared by Ingalls and Associates, LLP, dated July 2, 2013, and last revised November 1, 2016, indicates that the total permanent impacts to waters of the United States would involve the discharge of fill material into 0.053 acres of palustrian forested wetlands, 0.078 acres of palustrian scrub-shrub wetlands, and 0.20 acres of palustrian emergent wetlands to facilitate the construction of a residential development consisting of 24 single-family lots, 4 two-unit townhomes, and a two-story 14-unit senior living apartment building, with attendant features, residential roadways, and infrastructure. The aforementioned submittals and the drawings entitled "Wetland Mitigation Plan", Sheet 3 of 5, prepared by Ingalls and Associates, LLP, dated July 29, 2013, and last revised November 1, 2016, "Wetland Mitigation Details", Sheet 4 of 5, prepared by Ingalls and Associates, LLP, dated July 29, 2013, and last revised November 1, 2016, and "Preservation Plan", Sheet 5 of 5, prepared by Ingalls and Associates, LLP, dated July 2, 2013, and last revised November 1, 2016, indicate that the applicant proposes to establish 0.15 acres of palustrian forested wetlands, 0.16 acres of palustrian scrub-shrub wetlands, and 0.20 acres of palustrian emergent wetland and preserve 22.122 acres, including 7.523 acres of wetlands that include the remaining undisturbed wetlands on the site and the wetland establishment areas, and 14.599 acres of upland.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 29. The nationwide permits are prescribed as

PLEASE USE THE ABOVE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE

a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No. 29, Section C, any applicable New York District regional conditions, the special conditions below, and any applicable regional conditions added by the State of New York. The 2017 Nationwide Permits, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

<http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

Please review and familiarize yourself with all relevant terms and conditions of the nationwide permit prior to proceeding with your project and subsequently ensure you adhere to all conditions through the duration of the project. If you do not have internet access and require a specific paper copy of the referenced materials, please contact the phone number below to request they be mailed to you. Please be sure to have your permit application number readily available when you call.

Special Conditions

(A) The permittee shall accomplish compensatory mitigation through the successful establishment of 0.15 acres of palustrian forested wetlands, 0.16 acres of palustrian scrub-shrub wetlands, and 0.20 acres of palustrian emergent wetland, as described and depicted on the drawings entitled "Wetland Mitigation Plan", Sheet 3 of 5, prepared by Ingalls and Associates, LLP, dated July 29, 2013, and last revised November 1, 2016, and "Wetland Mitigation Details", Sheet 4 of 5, prepared by Ingalls and Associates, LLP, dated July 29, 2013, and last revised November 1, 2016. The permittee shall ensure that the newly established wetlands meet the federal wetland technical guidance and indicators outlined in the following documents (or current versions): U.S. Army Corps of Engineers. 2011. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)*, ed. J.S. Wakeley, R.W. Lichvar, C.V. Noble, and J.F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center; and Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, MS.

(B) The permittee shall ensure that all proposed mitigation plantings have an eighty-five (85) percent survival rate and all established wetland area(s) in conjunction with the compensatory mitigation shall have an eighty-five (85) percent coverage of hydrophytic plants (those with a regional indicator status of FAC, FACW, or OBL as outlined in the document, Lichvar, R.W. 2012. *The National Wetland Plant List*. ERDC/CRREL TR-12-11. Hanover, NH: U.S. Army Corps of Engineers, Cold Regions Research and Engineering Laboratory). The permittee shall also ensure that the vegetation in the newly established wetland(s) does not consist of more than a total of 5% areal coverage of common reed (*Phragmites australis*), purple loosestrife (*Lythrum salicaria*), reed canary grass (*Phalaris arundinacea*), Japanese knotweed (*Polygonum*

cuspidatum), Tartarian honeysuckle (Lonicera tatarica), Eurasian water-milfoil (Myriophyllum spicata), and/or other invasive species.

(C) The permittee shall provide to this office annual reports (2 copies) on the status of the mitigation activities, prepared during the growing season, no later than October 31 in each of the following five (5) years, after initiation of the activities authorized by this permit. If this office determines that the success criteria outlined in Special Conditions (A) and (B) above has not been met for at least three consecutive years, this period will be extended and the permittee shall continue to submit monitoring reports every year until this office determines that the success criteria has been met for three consecutive years. Your responsibility to complete the required mitigation as set forth in Special Conditions (A) and (B) will not be considered fulfilled until you have demonstrated compensatory mitigation project success and have received written verification of that success from this office. These reports shall include the following at a minimum:

1. A list of dominant plant species, along with their estimated relative frequency and percent aerial cover, shall be identified by using plots measuring 10 feet by 10 feet with at least one representative plot located in each of the habitat types within the mitigation site. The location of each plot shall be identified on the plan view engineering drawing;
2. Vegetation cover maps, at a scale of one inch equals 100 feet, or larger scale, shall be prepared for each growing season;
3. Photographs showing all representative areas of the mitigation site shall be taken at least once each year during the period between June 1 and August 15;
4. A Corps of Engineers approved wetland delineation data sheet for all representative areas of the mitigation site;
5. Surface water and groundwater elevations in representative areas of the mitigation site shall be recorded twice a month during April through September of each year. The location of the monitoring well or gauge shall be shown on the plan view engineering drawing; and
6. A remedial plan, if necessary, outlining all practicable steps taken or proposed to be taken to ensure the success criteria outlined in Special Conditions (A) and (B) above are met by the specified due date of the next monitoring report.

(D) All grading, planting and seeding in conjunction with the wetlands mitigation work shall be completed prior to one year from the date of this authorization. Also, within 30 days of the completion of the grading, the permittee shall install at least two groundwater monitoring wells on the site within the wetland establishment area and a staff gauge at the proposed outlet structure, and submit to the New York District Corps of Engineers, Regulatory Branch, Upstate New York Section an as-built drawing and photographs of the site. This as-built shall consist of a field-surveyed drawing, at 1" = 50' scale, with one-foot contours and appropriate spot elevations, in addition to showing the submitted photograph locations, installed monitoring wells and gauge locations.

(E) The permittee shall ensure that no mowing of the mitigation area shall occur.

(F) The permittee shall undertake the authorized filling activities in a manner aimed at reducing impacts upon the general environment. In addition, the permittee shall not stockpile fill or other materials in a manner conducive to erosion, or in areas likely to cause high turbidity runoff during storm events. All exposed soils shall be re-vegetated in a timely manner to further reduce potential effects. The permittee shall also fence off all wetlands and other sensitive ecological areas during construction periods to prevent equipment and personnel from entering these areas.

(G) The permittee shall ensure that all synthetic erosion control features (e.g., silt fencing, netting, mats), which are intended for temporary use during construction, are completely removed and properly disposed of after their initial purpose has been served. Only natural fiber materials, which will degrade after time, may be used as permanent measures, or if used temporarily, may be abandoned in place.

(H) The permittee shall assume all liability for accomplishing the corrective work should the New York District determine that the compensatory mitigation has not been fully satisfactory. If the New York District does not find the mitigation satisfactory, an extension of monitoring time may be required to cover any necessary remedial work.

(I) The permittee shall secure a deed restriction on a 22.122-acre portion of the property, including 7.523 acres of wetlands that include the remaining undisturbed wetlands on the site and the 0.51 acres of wetland establishment areas, and 14.599 acres of upland buffer to guarantee its preservation for wetland and wildlife resources. Within 60 days from the effective date of this permit, the permittee shall accomplish the preservation of these areas by properly executing and filing the restrictive covenant, as described in the draft received by this office on October 10, 2018, with the Recorder of Deeds for Albany County and shall provide to this office a copy of the document(s), as filed in County records, within 30 days of its filing.

(J) The permittee shall conduct any of the necessary tree-clearing associated with the authorized work between October 1 and March 31 in any year this verification is in effect.

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Guidance-Letters/>

This verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

This authorization is conditional on the applicant's receipt of the required water quality certificate or waiver from the New York State Department of Environmental Conservation (NYSDEC). No work may be accomplished until the required approval from NYSDEC has been obtained.

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

If any questions should arise concerning this matter, and/or if you require a specific paper copy of the above referenced nationwide general permit program, please contact Adam Labatore, of my staff, at (518) 266-6353.

Sincerely,

A handwritten signature in cursive script, reading "Amy L. Gitchell".

Amy L. Gitchell
Chief, Upstate New York Section

Enclosures

cf: NYSDEC Region 4, Schenectady
Town of Guilderland
Ingalls and Associates, LLP



DEPARTMENT OF THE ARMY
 U.S. Army Corps of Engineers, ATTN: CENAN-OP-RU
 Upstate Regulatory Field Office
 1 Buffington St., Building 10, 3rd Fl. North
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CENAN-OP-RU

NATIONWIDE PERMIT COMPLIANCE CERTIFICATION AND REPORT FORM

Permittee: Meyer, Christopher Permit No. NAN-2015-00752-ULA

Date Permit Issued: NOV 01 2018

Location: Town of Guilderland, Albany County, New York

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

 Signature of Permittee

 Date

Printed Name: _____

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below
 or **EMAIL TO: cenan.rfo@usace.army.mil**

Place Stamp
 Here

DEPARTMENT OF THE ARMY
 U.S. Army Corps of Engineers
 ATTN: CENAN-OP-RU
 Upstate Regulatory Field Office
 1 Buffington St., Bldg. 10, 3rd Fl. North
 Watervliet, New York 12189-4000

ATTACHMENT

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): NOV 01 2018

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:
Christopher Meyer, 4 Vly Road, Albany, New York 12306

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: New York District;
Meyer, Christopher; NAN-2015-00752-ULA

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES
AT DIFFERENT SITES)**

State: NY County: Albany City: Guilderland

Center coordinates of site (lat/long in degree decimal format):

Lat. 42.701537° N, Long. -73.971272° E.

Universal Transverse Mercator:

Name of nearest waterbody: Black Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: 230 linear feet: varying width (ft) and/or acres.

Cowardin Class: Riverine

Stream Flow: Ephemeral and Intermittent

Wetlands: 7.854 acres.

Cowardin Class: Palustrine forested, scrub-shrub, and emergent

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: October 19, 2018

Field Determination. Date(s): November 1, 2016

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply

- checked items should be included in case file and, where checked and requested, appropriately reference sources below):

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: "Wetland Map", Sheet 1 of 5, prepared by Ingalls and Associates, LLP, and Dated November 1, 2016.

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report.

Data sheets prepared by the Corps:

Corps navigable waters' study: Hudson River Listing.

U.S. Geological Survey Hydrologic Atlas:

USGS NHD data.

USGS 8 and 12 digit HUC maps.

U.S. Geological Survey map(s). Cite scale & quad name:

USDA Natural Resources Conservation Service Soil Survey. Citation: Albany County Web Soil Survey included in PCN.

National wetlands inventory map(s). Cite name: NWI Online Mapper printout included in PCN.

State/Local wetland inventory map(s): NYSDEC Environmental Resource Mapper printout included in PCN.

FEMA/FIRM maps:

100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

Photographs: Aerial (Name & Date): Included in PCN.

or Other (Name & Date):

Previous determination(s). File no. and date of response letter: NAN-2004-00866-YN; March 22, 2006.

Other information (please specify): USACE Site Inspection Report dated November 4, 2016.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

 22 October 2018

Signature and date of Corps
Project Manager
(REQUIRED)

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining
the signature is impracticable)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Christopher Meyer	File Number: NAN-2015-00752-ULA	Date: NOV 01 2018
Attached is:		See Section Below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_permit.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the New York District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the New York District Engineer. Your objections must be received by the New York District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the New York District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the New York District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the New York District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the Division Engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the Division Engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the New York District Engineer.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Stephan A. Ryba
U.S. Army Corps of Engineers, New York District
Jacob K. Javits Federal Building
New York, NY 10278-0090
(917) 790-8512

If you only have questions regarding the appeal process you may also contact:

James W. Haggerty, Regulatory Program Manager
North Atlantic Division, U.S. Army Engineer Division
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, NY 11252-6700
(347) 370-4650

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
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