



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT
4101 JEFFERSON PLAZA NE
ALBUQUERQUE, NM 87109-3435

April 29, 2021

Regulatory Division

SUBJECT: Jurisdictional Determination – Action No. SPA-2020-00294-SCO, The West Farm Pit Expansion

Karl Nyquist
Prowers Aggregate Operations, LLC
7991 Shaffer Parkway, Suite 200
Littleton, CO 80217

Dear Mr. Nyquist:

This letter responds to your request for a jurisdictional determination (JD) for the west farm pit expansion site located at approximately latitude 38.09808, longitude - 102.56594, in Lamar, Prowers County, Colorado. We have assigned Action No. SPA-2020-00294-SCO to your request. Please reference this number in all future correspondence concerning the site.

Based on the information provided, we have determined that the site contains waters of the United States, which include 11,743 linear feet of intermittent stream and 8.95 acres of adjacent wetland, that are subject to regulation under Section 404 of the Clean Water Act. The attached JD forms contain a list of aquatic resources that are waters of the United States located within the subject property and describes the area that was evaluated and determined to contain no waters of the United States. Aquatic resource determined not to be waters of the US, include 11,048 feet of ditch, 7.49 acres of non-adjacent wetlands, and 5.31 acres of artificial lake/pond. If you intend to conduct work that could result in a discharge of dredged or fill material into waters of the United States, please contact this office for a determination of Department of the Army permit requirements and refer to Action No. SPA-2020-00294.

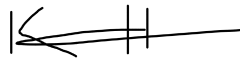
The basis for this approved JD (attached) is that the project site contains relatively permanent waters and their abutting wetlands that flow indirectly into traditional navigable waters (i.e. AR-E & AR-E [wetland]) and non-jurisdictional waters (i.e. AR-A, AR-B, AR-C, & AR-D). A copy of this JD is also available at <http://www.spa.usace.army.mil/reg/JD>. This approved JD is valid for five years unless new information warrants revision of the determination before the expiration date.

You may accept or appeal this approved JD or provide new information in accordance with the attached Notification of Administration Appeal Options and Process and Request for Appeal (NAAOP-RFA). If you elect to appeal this approved JD, you

must complete Section II of the form and return it to the Army Engineer Division, South Pacific, CESPDPDS-O, Attn: Tom Cavanaugh, Administrative Appeal Review Officer, P.O. Box 36023, 450 Golden Gate Ave, San Francisco, CA 94102 within 60 days of the date of this notice. 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.

If you have any questions, please contact Daniel Delgado at (505) 342-3220 or by e-mail at Daniel.i.Delgado@usace.army.mil. At your convenience, please complete a Customer Service Survey on-line available at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kara Hellige', with a horizontal line extending to the right.

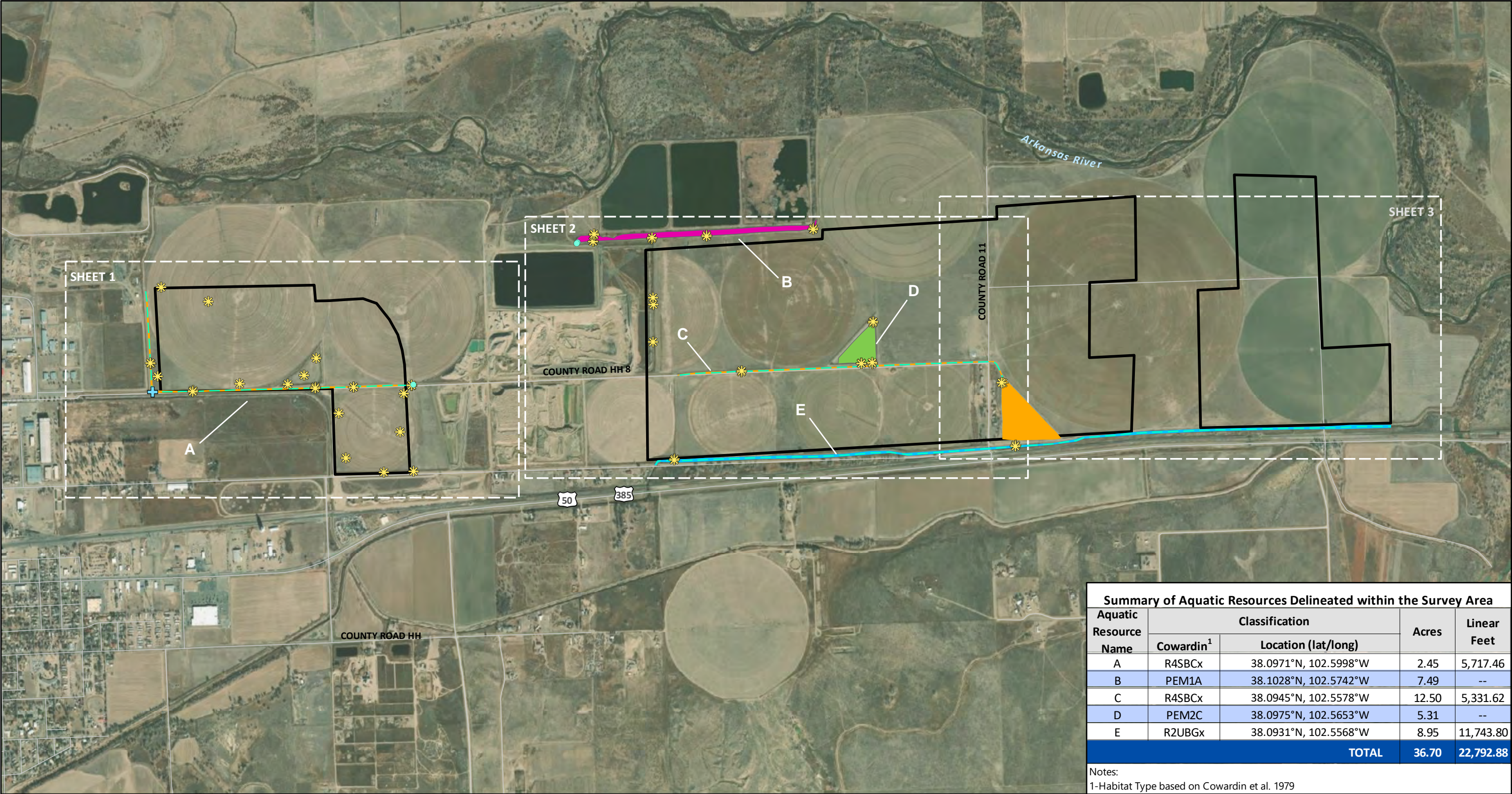
Kara Hellige
Chief, Southern Colorado Branch
Regulatory Division

Enclosures

Copy Furnished to:

Mr. David Blauch
Ecological Resource Consultants, Inc.
2820 Wilderness Place
Boulder, CO 80304

Colorado Department of Public Health and Environment
cdphe.wqstorm@state.co.us



Summary of Aquatic Resources Delineated within the Survey Area				
Aquatic Resource Name	Classification		Acres	Linear Feet
	Cowardin ¹	Location (lat/long)		
A	R4SBCx	38.0971°N, 102.5998°W	2.45	5,717.46
B	PEM1A	38.1028°N, 102.5742°W	7.49	--
C	R4SBCx	38.0945°N, 102.5578°W	12.50	5,331.62
D	PEM2C	38.0975°N, 102.5653°W	5.31	--
E	R2UBGx	38.0931°N, 102.5568°W	8.95	11,743.80
TOTAL			36.70	22,792.88


Notes:
1-Habitat Type based on Cowardin et al. 1979


Prepared By:


2820 Wilderness Place, Suite A
Boulder, CO 80301
(303) 679-4820


ERC #420-2003


MAP LEGEND


 Survey Area

 Data Point Location


 Approximate Centerline


 Irrigation Control Valve


 Culvert


 Aquatic Resource Name

Delineated Aquatic Resource Habitat Type (Cowardin)

 PEM1A

 PEM2C

 R2UBGx

 R4SBCx


OVERVIEW

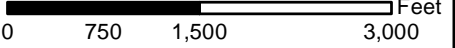
AQUATIC RESOURCE DELINEATION MAP

WEST FARM PIT EXPANSION

PROWERS COUNTY, COLORADO

Date: November 9, 2020





0 750 1,500 3,000 Feet



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): April 29, 2021

ORM Number: SPA-2020-00294-SCO

Associated JDs: N/A

Review Area Location¹:

State/Territory: CO City: Lamar County/Parish/Borough: Prowers County

Center Coordinates of Review Area: Latitude 38.098087 Longitude -102.565943

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- ☒ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)³

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
AR-E	11743 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	AR-E is a channelized portion of Willow Creek, an intermittent stream and (a)(2) water. Willow Creek is tributary to Clay Creek, a perennial stream and tributary to the Arkansas River. Therefore, AR-E is jurisdictional.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
AR-E (Wetland)	8.95 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	AR-E (Wetland) is an adjacent wetland abutting AR-E and categorized as an (a)(4) water. Therefore, AR-E (wetland) is jurisdictional.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
AR-A	5717 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	AR-A is an irrigation ditch constructed in uplands and categorized as a (b)(5) water excluded from jurisdiction.
AR-B	7.49 acres	(b)(1) Non-adjacent wetland	AR-B is a non-adjacent wetland and categorized as a (b)(1) water, which is excluded from jurisdiction.
AR-C	5331 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	AR-C is an irrigation ditch constructed in uplands and categorized as a (b)(5) water excluded from jurisdiction.
AR-D	5.31 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	AR-D is an artificial irrigation retention pond constructed in uplands and categorized as a (b)(8) water excluded from jurisdiction.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

☒ Information submitted by, or on behalf of, the applicant/consultant: *“Aquatic Resource Delineation Report for West Farm Pit Expansion Project Site: Prowers County, Colorado”*. November 18, 2020.

This information is sufficient for purposes of this AJD.

Rationale: N/A

☐ Data sheets prepared by the Corps: *Title(s) and/or date(s)*.

☒ Photographs: *“Aquatic Resource Delineation Report for West Farm Pit Expansion Project Site: Prowers County, Colorado”*. November 18, 2020

☐ Corps Site visit(s) conducted on: N/A

☐ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s)*.

☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.

☐ USDA NRCS Soil Survey: N/A

☐ USFWS NWI maps: N/A

☐ USGS topographic maps: N/A

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The Antecedent Precipitation Tool (APT) was used to determine if the applicant's field work outlined in the JD report was conducted during a climatological "typical year" for the review area. Data was gathered from six (6) weather stations located approximately 3.5-miles (Lamar), 7.1-miles (Lamar 9.9 E), 5.4-miles (Lamar 4.8 NNW), 6.9-miles (Lamar Municipal AP), 19.9-miles (John Martin Dam), and 23.8-miles (Holly) from the review area. Results from the APT note that on the day of the applicant's field work the review area was in the dry season and experiencing Extreme drought. The APT results indicate that the field visit was conducted during drier than normal conditions for the rolling 30-year period.

C. Additional comments to support AJD: Ecological Resource Consultants, Inc. (ERC) conducted a delineation of the aquatic resources within the review area on November 18, 2020 (see document titled "Aquatic Resource Delineation Report for West Farm Pit Expansion Project Site: Prowers County, Colorado" in Corps file SPA-2020-294). The report includes Corps wetland delineation data sheets. This delineation report was reviewed and referenced as part of this approved jurisdictional determination.

Aquatic Resource (AR)-A and AR-C are a contiguous irrigation ditch constructed in uplands that flow into a retention pond at the eastern extent of AR-C. Flows that enter the retention pond are stored and allowed to evaporate. The western portion of AR-A is located within a segment of the ditch that can be directed to flow into the Arkansas River. Although this portion of AR-A can be directed to the Arkansas River the ditch is artificial and constructed in uplands. AR-A and AR-C are categorized as a (b)(5) waters under 33 CFR 328.3 (b)(5) and, therefore, non-jurisdictional.

Aquatic Resource (AR)-B is a palustrine emergent wetland located immediately south of three (3) constructed holding ponds. The area within the boundary of this identified wetland meet the criteria of a Corps defined wetland based on Corps wetland delineation data sheets that were completed by ERC. However, the wetland is not considered an adjacent wetland as defined by 33 CFR 328.3 (c)(1) and is therefore considered a non-adjacent wetland categorized as a (b)(1) water under 33 CFR 328.3 (b)(1) and, therefore, non-jurisdiction.

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

AR-D is an artificial irrigation retention pond constructed in uplands that pulls water via pipe from AR-C. AR-D does not return water to a WOTUS. AR-D is categorized as a (b)(8) water under 33 CFR 328.3 (b)(8) and, therefore, non-jurisdictional.

AR-E is channelized portion (i.e. ditch) of Willow Creek, an intermittent stream, a tributary to Clay Creek, a perennial stream, and tributary to Arkansas River. This portion of Willow Creek contributes surface water flows to Clay Creek in a typical year. Clay Creek contributes surface water flows to the Arkansas River in a typical year. Furthermore, ERC identified wetlands (i.e. AR-E [wetland]) abutting ER-E that meet the criteria of a Corps defined wetland based on Corps wetland delineation data sheets that were completed by ERC. AR-E is categorized as an (a)(2) water under 33 CFR 328.3 (a)(2) and AR-E (wetland) is categorized as an (a)(4) water under 33 CFR 328.3 (a)(4). Therefore, AR-E and AR-E (wetland) are considered jurisdictional waters of the U.S.

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Karl Nyquist		File Number: SPA-2020-00294-SCO	Date: April 29, 2021
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	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	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://usace.army.mil/inet/functions/cw/cecwo/reg> 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 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.

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 district engineer. Your objections must be received by the 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 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 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 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 DIVISION (not district) ENGINEER (address on reverse). 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 DIVISION (not district) ENGINEER. This form must be received by the DIVISION (not district) 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 (not district) ENGINEER (address on reverse). This form must be received by the DIVISION ENGINEER within 60 days of the date of this notice. Exception: JD appeals based on new information must be submitted to the DISTRICT ENGINEER within 60 days of the date of this notice.

EXCEPTION: Appeals of Approved Jurisdictional Determinations based on new information must be submitted to the District engineer within 60 days of the date of this notice.

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:

DISTRICT ENGINEER

Albuquerque District, Corps of Engineers
Attn: Kelly Allen, Regulatory Division Chief
4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109-3435
Phone: 505-342-3216, Fax: 505-342-3668
Kelly.E.Allen@usace.army.mil

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

DIVISION ENGINEER

Army Engineer Division, South Pacific, CESPD-PDS-O, 2052B
Attn: Tom Cavanaugh, Administrative Appeal Review Officer
P.O. Box 36023, 450 Golden Gate Ave.
San Francisco, CA 94102
Phone: 415-503-6574, Fax: 415-503-6646
thomas.j.cavanaugh@usace.army.mil

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.

<hr/> Signature of appellant or agent.	Date:	Telephone number:
--	-------	-------------------