Mr Fred Hay, Sapelo Island Manager  
Georgia Department of Natural Resources  
Game Management Section  
P.O. Box 15  
Sapelo Island, Georgia 31327  

Dear Mr. Hay:

I refer to the Pre-Construction Notification submitted on October 5, 2012, requesting verification for use of Nationwide Permit (NWP) No. (5) to install an eddy covariance flux tower in the marsh at the head of a small creek off the Duplin River. The project is located between the Duplin River and the upland forest of Sapelo Island (Latitude 31.4497, Longitude -81.2955). The request was submitted on your behalf by Daniela Di Iorio of the Department of Marine Sciences, University of Georgia. This project has been assigned number SAS-2012-00542 and it is important that you refer to this number in all communication concerning this matter.

We have completed a preliminary Jurisdictional Determination (JD) for the site pursuant to our March 4, 2009, Public Notice entitled, “Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers (USACE).” I have enclosed a “JD Check Sheet,” which summarizes the JD, delineation verification and appeals process.

The wetlands/other waters on the subject property may be waters of the United States within the jurisdiction of Section 404 of the Clean Water Act (CWA) (33 United States Code (U.S.C.) 1344) and/or Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The placement of dredged or fill material into any waterways and/or their adjacent wetlands or mechanized land clearing of those wetlands could require prior Department of the Army authorization pursuant to Section 404.

We have completed coordination with other federal and state agencies as described in Part C (31)(d) of our NWP Program, published in the February 12, 2012, Federal Register, Vol. 77, No. 34, Pages 10184-10290 (77 FR). The NWPs and Savannah District’s Regional Conditions for NWPs can be found on our web site at http://www.sas.usace.army.mil/regulatory/Nationwide_Permits.html. During our coordination procedure, no adverse comments regarding the proposed work were received.
As a result of our evaluation of your project, we have determined that the proposed activity is authorized under NWP 5, as described in Part B of the NWP Program. Your use of this NWP is valid only if:

a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.

b. That use of the permitted activity must not interfere with the public's right to free navigation on the Duplin River or any tidal tributary, navigable waters of the United States.

c. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project would have no effect on any threatened or endangered species nor any critical habitat for such species. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part (C) of 77 FR for more information.

This verification is valid for a period of two years from the date of this letter, or until the NWP is modified, reissued or revoked. All of the existing NWPs are scheduled to expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in making a decision on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities. It
does not affect your liability for any damages or claims that may arise as a result of the work. It
does not convey any property rights, either in real estate or material, or any exclusive privileges.
It also does not affect your liability for any interference with existing or proposed federal
projects. If the information you have submitted and on which the USACE bases its
determination/decision of authorization under the NWP is later found to be in error, this
determination may be subject to modification, suspension, or revocation.

Copies of this letter are being provided to the following parties: Dr. Daniela Di Iorio,
Associate Professor, Department of Marine Sciences, University of Georgia, 250 Marine Science
Building, Athens, Georgia 30602; Mr. John Wynne, Department of Natural Resources, Coastal
Resources Division, 185 Richard Davis Drive, Suite 104, Richmond Hill, Georgia 31324.

Thank you in advance for completing our Customer Survey Form. This can be accomplished
by visiting our web site at http://per2.nwp.usace.army.mil/survey.html and completing the survey
on-line. We value your comments and appreciate your taking the time to complete a survey each
time you have interaction with our office. If you have any questions, please call me at
912-652-5052.

Sincerely,

Mark J. Padgett
Senior Project Manager, Coastal Branch

Enclosures
CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY

PERMIT FILE NUMBER: SAS-2012-00542

PERMITTEE ADDRESS: Mr Fred Hay, Sapelo Island Manager, Georgia DNR, Game Management Section, P.O. Box 15, Sapelo Island, Georgia 31327.

LOCATION OF WORK: The project is located between the Duplin River and upland forest of Sapelo Island (Latitude 31.4497, Longitude -81.2955).

PROJECT DESCRIPTION: To install an eddy covariance flux tower (an advanced weather station) in a Spartina alterniflora dominated marsh. The tower will support scientific data collectors that will study the exchange of heat, water and carbon between the marsh and atmosphere. The tower support will be a 5' X 5' platform (thru flow partial deck) located 3' above the elevation of the salt marsh. The platform will be accessed by a 14inch X 220m thru flow decking boardwalk. There would be six solar panels mounted adjacent to the boardwalk. All of the structure would be located over marsh and not in any open waterway. There is no fill associated with this project. There is no mitigation required for this project.

ACRES AND/OR LINEAR FEET OF WATERS OF THE US IMPACTED: 0.02

DATE WORK IN WATERS OF US COMPLETED:

COMPENSATORY MITIGATION REQUIRED: N/A

DATE MITIGATION COMPLETED OR PURCHASED: N/A

I understand that the permitted activity is subject to a US Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions at Part C of the Nationwide Permit Program, published in the February 12, 2012, Federal Register, Vol. 77, No.34, Pages 10184-10290, it may be subject to suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

__________________________     _____________
Signature of Permittee                  Date
Fig. 1  Proposed Flux tower deployment site
relative to Sapelo Island Dunes Reserve
Dolphin Island
Fig. 2: Proposed Flux Tower deployment at
31°26'38.56"N, 81°17'0.70"W

Proposed Flux Tower deployment

Creek
For Emissions
Studies

Go to earth

feet
meters

3000
900
Figure 3e. Solar Panel Mounting Frame.

- 24 sq ft
- Raised Square
- 2 ft x 2 ft
- North
- Side View
- Solar Panel - Side View
- 2.0 m above
- Marsh surface
- 2 ft x 2 ft aluminum pole
- 5 ft
Fig 3f. Boardwalk design

Top view

Side view along the boardwalk

Total square footage: 842 sq ft

Side view across the boardwalk

20cm above marsh

Thru Flow drainage
JURISDICTION DELINEATION CHECK SHEET
USACE FILE NUMBER: SAS-2012-00542
DATE: October 18, 2012

A. SECTION 1 - PRELIMINARY JURISDICTIONAL DETERMINATIONS

1. JURISDICTIONAL DETERMINATION (JD). A "preliminary JD" form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the US Army Corps of Engineers (USACE). In summary, the USACE has determined the following with regard to waters present on the site:

   ___ There may be navigable waters of the United States (US) within Rivers and Harbors Act (RHA) jurisdiction present.

   ___ There may be waters of the US within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

   ___ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

   ___ Drawings submitted with a Pre-Construction Notification (or other application) depict the approximate location/boundaries of all potentially jurisdictional waters on the project site. The USACE has verified the accuracy of the depicted boundaries of potentially jurisdictional waters in only the immediate vicinity of waters to be impacted. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.

   ___ The drawing entitled "___________," dated ______ is an acceptable sketch of the approximate location/boundaries of all the potentially jurisdictional waters in the project area. This sketch can be used for initial real estate planning; projects with temporary impacts to waters; projects involving minor amounts of fill in waters; or work only subject to our jurisdiction pursuant to Section 10 of the Rivers and Harbors Act of 1899. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.
3. APPEALS OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The preliminary JD is a “non-binding” written indication that there may be waters of the US on a parcel. Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR 331.2). If you are not in agreement with this preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

B. SECTION - EXPANDED PRELIMINARY JURISDICTIONAL DETERMINATIONS:

1. JURISDICTIONAL DETERMINATION (JD). An “expanded preliminary JD” form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, “Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers.” The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

____ There may be navigable waters of the United States (US) within Rivers and Harbors Act (RHA) jurisdiction present.

____ There may be waters of the US within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

____ Wetlands were delineated in accordance with criteria contained in the 1987 “Corps of Engineers Wetland Delineation Manual,” as amended by the most recent regional supplements to the manual.

____ The Global Positioning System (GPS) delineation entitled “_________________________,” dated ____________________, is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, "WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2012-00542. OWNERS MAY BE SUBJECT TO PUNISHMENT UNDER LAW FOR DISTURBANCE TO THESE WATERS WITHOUT PROPER AUTHORIZATION." This delineation will remain valid for a period of 5 years unless new information warrants revision prior to that date.

____ The survey entitled “_________________________”, dated ____________________, and signed by Registered Land Surveyor ____________________________, is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on the final surveyed property plat to the effect
that, "WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2012-00542. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WATERS WITHOUT PROPER AUTHORIZATION." This delineation will remain valid for a period of 5-years unless new information warrants revision prior to that date.

3. APPEALS OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The expanded preliminary JD is a "non-binding" written indication that there may be waters of the US on a parcel. Expanded Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR. 331.2)." If you are not in agreement with this expanded Preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

C. SECTION 3 - APPROVED DETERMINATIONS: As defined in Regulatory Guidance Letter 08-02, an approved JD is an official Savannah District determination that jurisdictional "waters of the United States" or "navigable waters of the United States," or both, are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the Clean Water Act (CWA) and/or the Rivers and Harbors Act (RHA).

1. JURISDICTIONAL DETERMINATION (JD). An "approved JD" form was completed for the site pursuant to the June 5, 2007, "US Army Corps of Engineers (USACE) JD Form Instructional Guidebook." The form details whether streams, wetlands and/or other waters present on the site are subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

_____ There are navigable waters of the (US) within (RHA) jurisdiction present.

_____ There are waters of the US within (CWA) jurisdiction present.

_____ There are non-jurisdictional waters of the US located in the project area.

_____ There are no jurisdictional waters of the US located in the project area.

2. APPROVED DETERMINATION - ISOLATED, NON-JURISDICTIONAL WATERS. If Appendix E of the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers" was submitted, you have requested that the USACE verify the presence of isolated, non-jurisdictional waters located at the project site or within the review area. The completed Appendix E form is available at https://sasweb.sas.usace.army.mil/JD/. under the above listed file number. You may also request that a printed copy of the form be mailed to you. This isolated, non-jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that
date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ There are isolated non-jurisdictional waters present that are not subject to CWA jurisdiction. Specifically, wetland(s) [letter of wetlands here], as identified on the exhibit entitled “_____” is/are isolated, non-jurisdictional wetlands. Department of the Army authorization, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), is not required for dredge and/or fill activities in these areas.

3. APPROVED DETERMINATION. (other than isolated, non-jurisdictional waters): If Appendix B of the March 4, 2009, Public Notice entitled, “Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers” was submitted, you have requested that the USACE verify the presence of jurisdictional waters located at the project site or within the review area. The completed Appendix B form is available at https://sasweb.sas.usace.army.mil/JD/, under the above listed file number. You may also request that a printed copy of the form be mailed to you. This jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ The Global Positioning System (GPS) delineation entitled “__________”, dated ____________, is an accurate delineation of all the jurisdictional boundaries on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, "JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2012-00542. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION." This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.

_____ The survey entitled “____________”, dated ____________, and signed by Registered Land Surveyor __________________________, is an accurate delineation of all the jurisdictional boundaries on the site. If you have not already done so, I recommend that you
place a statement on the final surveyed property plat to the effect that, "JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2012-00542. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION." This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.


If you request to appeal this/these determination(s) you must submit a completed RFA form to the South Atlantic Division Office at the following address:

US Army Corps of Engineers, South Atlantic Division
Attention: CESAD-PDS-O, Administrative Appeal Review Officer
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801

In order for a RFA to be accepted by the USACE, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR, part 331.5, and that it has been received by the Division Office within 60 days of the date of this form. It is not necessary to submit an RFA form to the Division Office if you do not object to this jurisdictional determination.

D. SECTION 4 - APPLIES TO ALL OF THE ABOVE.

- US DEPARTMENT OF AGRICULTURE (USDA) PROGRAM PARTICIPANTS.
This delineation/determination has been conducted to identify the limits of USACE CWA jurisdiction for this site. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

Attachments:

_____ Verified Survey of Jurisdictional Streams, Wetlands and/or Other Waters

_____ Verified GPS Delineation of Jurisdictional Streams, Wetlands and/or Other Waters

5
___X___ Drawing of Approximate Location of Streams, Wetlands and/or Other Waters

___     Approved Jurisdictional Determination Form(s)

___     Notification of Administrative Appeal Options and Process and Request for Appeal Form

Mark J. Padgett
Senior Project Manager, Coastal Branch

10-18-12
DATE
# NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS

## AND REQUEST FOR APPEAL

<table>
<thead>
<tr>
<th>Applicant: Fred Hay</th>
<th>File Number: SAS-2012-00542</th>
<th>Date:</th>
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<tbody>
<tr>
<td>Attached is:</td>
<td>See Section below</td>
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</tr>
<tr>
<td>INITIAL PROOFFERED PERMIT (Standard Permit or Letter of permission)</td>
<td>A</td>
<td></td>
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<tr>
<td>PROOFFERED PERMIT (Standard Permit or Letter of permission)</td>
<td>B</td>
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<td>PERMIT DENIAL</td>
<td>C</td>
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<td>APPROVED JURISDICTIONAL DETERMINATION</td>
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<td>X PRELIMINARY JURISDICTIONAL DETERMINATION</td>
<td>E</td>
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## 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/inet/functions/cw/cecw0/leg or Corps regulations at 33 CFR Part 331](http://www.usace.army.mil/inet/functions/cw/cecw0/leg).

### A: INITIAL PROOFFERED 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: PROOFFERED 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 engineer. 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 engineer. 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. The division engineer must receive this form 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.

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**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROOFFERED 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:
Mark Padgett
US Army Corps of Engineers, Savannah District
100 W. Oglethorpe Avenue
Savannah, Georgia 31401-3640
912-652-5052

If you only have questions regarding the appeal process you may also contact:
Administrative Appeal Review Officer
CESAD-PDS-O
US Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801

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: