

# Talcott Engineering

## DESIGN, PLLC

1 GARDNERTOWN ROAD ~ NEWBURGH, NY

(845) 569-8400 \* Fax (845) 569-4583

### LETTER OF TRANSMITTAL

TO: Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550  
Application #2012-15

DATE: 8/15/2012  
FILE: 12088-t2  
ATTENTION: John Ewasutyn  
JOB #: 12088-BRO

ENCLOSED

RE: POTTER'S RIDGE SUBDIVISION

PLANS  
 DISKETTES  
 OTHER

PAPER  
 3.5"  VELLUM  
 5.25"

TRANSMITTED

FEDERAL EXPRESS  
 U.S. POST OFFICE

UNITED PARCEL SERVICE  
 SHOE LEATHER

SET OF	DATE	NUMBER	DESCRIPTION
10 of 3	9/10/2012	12088-SNY	Subdivision Plan set
10 each	9/10/2012	12088-SNY	Waiver Letter
10 each	9/10/2011	12088-SNY	Revised Narrative and Review Response
10 each	9/10/2012	12088-SNY	Revised EAF

40 TOTAL

THESE ARE TRANSMITTED AS NOTED BELOW:

FOR APPROVAL  
 FOR INFORMATION  
 AS REQUESTED  
 FOR REVIEW AND COMMENTS

REMARKS:

\_\_\_\_\_

\_\_\_\_\_

SENT BY: CTB

RECEIVED BY: \_\_\_\_\_

# Talcott Engineering DESIGN, PLLC.

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550  
(845) 569-8400\* ~ (fax) (845) 569-4583

Town of Newburgh  
Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550

September 10, 2012

Attn: John Ewasutyn, Chairman

Re: Revised Project Narrative / Review Response  
Potter's Ridge Subdivision & Lot Line Change  
Lands of Diane R. Brown & Lands of Robert & Deborah Thurston  
SBL: 26-6-20 (Brown) & 26-6-23 (Thurston)  
Job No. 110034-SNY  
Application # 2012-15

## PROJECT NARRATIVE

The subject parcels are a 5.6± acre tract and a 15,066 square foot (0.4± acre) tract located in the northeast quadrant of the Town of Newburgh on an existing private road, known as Potter's Ridge at its intersection with Leslie Road. Said private road runs southerly from Leslie Road near the intersection of Brooker Drive and said Leslie Road. Both parcels are located in a Residential (R-2) Zoning District.

The 2 foot interval contours demonstrate topography of moderate slopes which breaks northeasterly from a ridge located near the rear of the subject parcel. The majority of SBL 26-6-20 is well to moderately well drained and rocky in some areas.

The applicant, Diane R. Brown proposes subdividing her existing 5.6 acre parcel into 2 lots creating 1 new lot served by town water and sanitary disposal system. Also the applicant is creating a lot line change to increase the Thurston parcel's lot area. The Thurston lot, will also be provided with water as part of this subdivision/lot line change application. All necessary soil testing has been done by Talcott Engineering for the new in-ground sanitary disposal system for Lot No. 2, which will be in predominantly Bath-Nassau type soils.

Lot No. 1	Existing 3 Bedroom House	199,884 square feet proposed	4.7 acres ±
Lot No. 2	Proposed 3 Bedroom House	34,111 square feet proposed*	0.8 acres ±
SBL: 26-6-23	Existing 3 Bedroom House	27,352 square feet proposed*	0.5 acres ±

\* TOWN WATER TO BE PROVIDED TO PROPOSED LOT 2 AND THE THURSTON PARCEL

This subdivision now proposes increasing the right of way for Potter's Ridge to 50 feet and create a Common Driveway which will serve all 3 lots. This will require a waiver of the Town Code §161-4.A., which limits the use of a Common Driveway to no more than 2 lots. A request for said waiver was submitted to the Town Supervisor 9/10/12.

September 10, 2012

The latest revisions require no additional fees and all required fees have been previously submitted.

The revised subdivision plan sets also address the comments made by the Planning Board's Engineer and Planner as follows:

**Patrick Hines – McGoey, Hauser & Edsall, PC**

1. Status of Potter's Ridge Road – After discussing this with our client's, it was decided that upgrading to the present private road specifications was not financially feasible and that a request for a waiver to allow 3 lots on a common driveway would be made to the Town Board. A copy of the request letter is attached.
2. Thurston Lot 280 A Access – The lot line changes to the Thurston lot now propose fee access to Leslie Road.
3. SDS Hybrid Design & Percolation Testing – SDS has been revised as a completely in-ground system based on the results of 24 inch percolation tests taken this year.

**Bryant Cocks – BC Planning, LLC**

1. Comment Noted. See Response # 1 above
2. Thurston Lot Variances – Water service will now be provided to the Thurston Lot as suggested, thereby removing the need for variances.
3. Minimum Buildable Lot Areas – Have been made part of the bulk as directed.
4. Boundary Survey – The survey is being updated by Jonathan Millen, L.S. and he will review and stamp Sheet 1 of 3 of the final subdivision plan set.
5. Water Service Lot 1 – The existing Brown house is served by the well house and does not use town water.
6. Comment Noted.

The copies of this letter, revised subdivision plan sets and the waiver request letter will be mailed or hand delivered directly to the Planning Board's consultants today. Delivery of the Planning Board copies of the same will be made on Wednesday 9/12/12. Thank you for your cooperation and direction in this matter.

Sincerely,



Charles T. Brown, P.E. – President  
Talcott Engineering Design, PLLC

# **Talcott Engineering DESIGN, PLLC.**

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550  
(845) 569-8400\* ~ (fax) (845) 569-4583

September 10, 2012

Town of Newburgh – Town Board  
1496 Route 300  
Newburgh, NY 12550

Attn: Wayne Booth – Town Supervisor

Re: Request for 3 Lots on Common Driveway  
Potter's Ridge Subdivision & Lot Line Change  
Lands of Diane Brown & Lands of Robert Thurston  
SBL: 26-6-20 & 26-6-23

Dear Sirs:

Please be advised that on behalf of our clients, Diane Brown and Robert Thurston, respectively, Talcott Engineering is formally requesting a waiver of the Town Code §161-4.A., which limits the use of a Common Driveway to no more than 2 lots. Mrs. Brown proposes to subdivide her lot (SBL:26-6-20) into 2 parcels being Lot #1, which will contain her existing house and Lot #2, a proposed new building lot for a 3 bedroom single family home. In addition to the proposed 2 lot subdivision, Mrs. Brown proposes deeding additional area to the Thurston Parcel (SBL:26-6-23) requiring Lot Line Changes between the Brown and Thurston parcels.

The Brown and Thurston parcels presently are located on Potter's Ridge, an existing private road owned by Mrs. Brown which the Thurstons have a 16 foot right of way over. The proposed Subdivision & Lot Line Changes would make the right of way of Potter's Ridge 50 wide. The enlarged Thurston parcel is proposed as a flag lot with 20 feet fee ownership of said 50 foot right of way and frontage on Leslie Road, a town road. The remaining 30 feet, of the 50 foot right of way, and town road frontage would be included as part of the proposed Lot #1. Lot #2 proposes 64.66 of frontage on Leslie Road.

As bringing Potter's Ridge up to presently accepted private road specifications is not at this time a financially feasible option for Mrs. Brown, Talcott Engineering is proposing Potter's Ridge become a 50 foot wide right of way, common driveway and utility easement used by the proposed Lots 1 and 2, as well as the proposed enlarged Thurston parcel. As this would be 3 separate parcels using a common driveway the requested relief would be necessary before we proceed with the Planning Board Subdivision Review.

It should be noted, that upon completion of this subdivision, the proposed Lot #1, Mrs. Brown's house parcel, will be approximately 4.5 acres in size with have access to Town Water in Leslie Road. The proposed 50 foot right of way will allow for the possible future improvement of Potter's Ridge to town private road specifications, when and if the present economic conditions become more favorable for development.

If it is possible, we would appreciate being placed on the September 17<sup>th</sup> agenda so that we might advise the Planning Board at their September 20<sup>th</sup> meeting that we have this issue, at the least, under discussion with the Town Board.

We have attached this letter to 8 half size copies of Sheet 1 of 3 of the Potter's Ridge Subdivision for your convenience in reviewing our proposal. If you require any additional information regarding this request, please feel free to contact Jim Raab or myself at the above listed phone or fax numbers, or by e-mail at [talcottdesign12@gmail.com](mailto:talcottdesign12@gmail.com).

Sincerely,

Charles T. Brown, P.E. – President  
Talcott Engineering Design, PLLC

Pc: Town Board/Attach. (5)  
Town Clerk/Attach.  
Town Engineer/Attach.  
Town Attorney/Attach.  
Planning Board  
Patrick Hines  
Bryant Cooks

**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

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**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

**Identify the Portions of EAF completed for this project:**       Part 1       Part 2       Part 3  
Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared**.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared**.

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

"POTTER'S RIDGE SUBDIVISION"

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Name of Action

TOWN OF NEWBURGH PLANNING BOARD

---

Name of Lead Agency

---

Print or Type Name of Responsible Officer in Lead Agency

---

Title of Responsible Officer

---

Signature of Responsible Officer in Lead Agency

---

Signature of Preparer (If different from responsible officer)

8/14/12, REV. 9/10/12

---

Date

Page 1 of 21

**PART 1--PROJECT INFORMATION**  
**Prepared by Project Sponsor**

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action "POTTER'S RIDGE SUBDIVISION"

Location of Action (include Street Address, Municipality and County)

11 POTTER RIDGE,  
 NEWBURGH, NY 12550, S.BL.:26-6-20 & 23

Name of Applicant/Sponsor DIANE BROWN

Address 11 POTTER'S RIDGE

City / PO NEWBURGH State NY Zip Code 12550

Business Telephone 845-565-6329

Name of Owner (if different) SAME AS ABOVE

Address \_\_\_\_\_

City / PO \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Business Telephone \_\_\_\_\_

**Description of Action:**

The subject parcels are a 5.6± acre tract and a 15,066 square foot (0.4± acre) tract located in the northeast quadrant of the Town of Newburgh on an existing private road, known as Potter's Ridge at its intersection with Leslie Road. Said private road runs southerly from Leslie Road near its intersection with Brooker Drive and is located in a Residential (R-2) Zoning District.

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The applicant, Diane R. Brown proposes subdividing her existing 5.6 acre parcel into 2 lots creating 1 new lot served by town water and sanitary disposal system. Also the applicant is creating a lot line change to increase the Thurston parcel's lot area. The Thurston lot will also be provided with town water as part of this subdivision/lot line change application. All necessary soil testing has been done by Talcott Engineering for the new in-ground sanitary disposal system for Lot No. 2, which will be in predominantly Bath-Nassau type soils.

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\*TOWN WATER TO BE PROVIDED TO PROPOSED LOT 2 AND THE ENLARGED THURSTON LOT

**Please Complete Each Question--Indicate N.A. if not applicable**

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use:  Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Other \_\_\_\_\_

2. Total acreage of project area: 6.00 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0.84</u> acres	<u>0.34</u> acres
Forested	<u>2.94</u> acres	<u>2.94</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>NA</u> acres	<u>NA</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>NA</u> acres	<u>NA</u> acres
Water Surface Area	<u>NA</u> acres	<u>NA</u> acres
Unvegetated (Rock, earth or fill)	<u>NA</u> acres	<u>NA</u> acres
Roads, buildings and other paved surfaces	<u>.33</u> acres	<u>.37</u> acres
Other (Indicate type) <u>LAWN</u>	<u>1.89</u> acres	<u>2.35</u> acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage:  Well drained 60 % of site  Moderately well drained 40 % of site.  
 Poorly drained \_\_\_\_\_ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? NA acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site?  Yes  No

a. What is depth to bedrock 0->6' (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 60 %  10- 15% 30 %  15% or greater 10 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places?  Yes  No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?  Yes  No

8. What is the depth of the water table? NA (in feet)

9. Is site located over a primary, principal, or sole source aquifer?  Yes  No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?  Yes  No



11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  Yes  No

According to:

PROJECT ENGINEER/NYSDEC WEB SITE

Identify each species:

NA

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes  No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes  No

If yes, explain:

14. Does the present site include scenic views known to be important to the community?  Yes  No

15. Streams within or contiguous to project area:

NONE

a. Name of Stream and name of River to which it is tributary

NA

16. Lakes, ponds, wetland areas within or contiguous to project area:

NONE

b. Size (in acres):

NA

17. Is the site served by existing public utilities?  Yes  No
- a. If YES, does sufficient capacity exist to allow connection?  Yes  No
- b. If YES, will improvements be necessary to allow connection?  Yes  No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?  Yes  No
20. Has the site ever been used for the disposal of solid or hazardous wastes?  Yes  No

**B. Project Description**

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 5.66 acres.
- b. Project acreage to be developed: 0.6 acres initially; 0.6 acres ultimately.
- c. Project acreage to remain undeveloped: 3+/- acres.
- d. Length of project, in miles: NA (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing 2; proposed 4
- g. Maximum vehicular trips generated per hour: \_\_\_\_\_ (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | <u>1</u>   | <u>0</u>   | <u>0</u>        | <u>0</u>    |
| Ultimately | <u>2</u>   | <u>0</u>   | <u>0</u>        | <u>0</u>    |
- i. Dimensions (in feet) of largest proposed structure: 35' height; 25' width; 40' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 115' ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed  Yes  No  N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- REVEGETATED FOR EROSION CONTROL
- b. Will topsoil be stockpiled for reclamation?  Yes  No
- c. Will upper subsoil be stockpiled for reclamation?  Yes  No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.60 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes  No

6. If single phase project: Anticipated period of construction: 10 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated \_\_\_\_\_ (number)

b. Anticipated date of commencement phase 1: \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition)

c. Approximate completion date of final phase: \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases?  Yes  No

8. Will blasting occur during construction?  Yes  No

9. Number of jobs generated: during construction 5; after project is complete

10. Number of jobs eliminated by this project 3.

11. Will project require relocation of any projects or facilities?  Yes  No

If yes, explain:

12. Is surface liquid waste disposal involved?  Yes  No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved?  Yes  No Type ABSORPTION FIELD FOR SDS

14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain?  Yes  No

16. Will the project generate solid waste?  Yes  No

a. If yes, what is the amount per month? 0.50 tons

b. If yes, will an existing solid waste facility be used?  Yes  No

c. If yes, give name TRANSFER STATION; location RT 17K NEWBURGH

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No

e. If yes, explain:

17. Will the project involve the disposal of solid waste?  Yes  No

a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

b. If yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will project use herbicides or pesticides?  Yes  No

19. Will project routinely produce odors (more than one hour per day)?  Yes  No

20. Will project produce operating noise exceeding the local ambient noise levels?  Yes  No

21. Will project result in an increase in energy use?  Yes  No

If yes, indicate type(s)

ELECTRIC, PROPPANE GAS AND/ OR HEATING OIL.

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day <780 gallons/day.

24. Does project involve Local, State or Federal funding?  Yes  No

If yes, explain:

**25. Approvals Required:**

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>WAIVER - 3 LOTS</u> <u>ON COMMON DRIVE</u>	<u>9/10/12</u>
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>SUBDIVISION</u>	<u>8/15/12</u> <u>9/10/12</u>
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Zoning and Planning Information**

1. Does proposed action involve a planning or zoning decision?  Yes  No

If Yes, indicate decision required:

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance    | <input type="checkbox"/> New/revision of master plan | <input checked="" type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan        | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan    | <input type="checkbox"/> Other                  |

2. What is the zoning classification(s) of the site?

R-2

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

6 LOTS

4. What is the proposed zoning of the site?

N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

RESIDENTIAL, R-2

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?  Yes  No

9. If the proposed action is the subdivision of land, how many lots are proposed? 2

a. What is the minimum lot size proposed? 34,111 sq.ft. +/-

10. Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes  No

a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No

12. Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No

a. If yes, is the existing road network adequate to handle the additional traffic.  Yes  No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name CHARLES T. BROWN, PE Date REV. 9/10/12

Signature 

Title PROJECT ENGINEER

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.