



TOWN OF AURORA
OPEN DEVELOPMENT AREA APPLICATION

To Be Completed By Applicant

PETITIONER: Name: DAVID SCHWING
Address: 8 PINEWOOD DR.
ORCHARD PARK NY 14127
City State Zip
Phone: 716-970-6891 Fax: _____
E-Mail: dschwimg780@verizon.net

PROPERTY OWNER (if different from petitioner):

Name: _____ Ph. No. _____
Address: _____

PROJECT ADDRESS: 4485 TRANSIT RD
No. Street SBL No.

PROJECT DESCRIPTION: VACANT LOT WHERE I WILL BE BUILDING
A SINGLE FAMILY HOME

Signature of Applicant: David Schwimg

State of New York :SS:
County of Erie)

On the 11th day of August, in the year 2014, before me, the undersigned, a notary public in and for said state, personally appeared DAVID M. SCHWING, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Martina Librock
Notary Public

MARTHA L. LIBROCK
COMM. #01LI5028312
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MAY 31, 2018

OFFICE USE ONLY:

File #: _____ Number of Lots: _____ Total Acreage: 6.38 Zoning: A
Open Development Area Review Application Fee \$ 100.00

Materials Received by
Town Clerk & Fee Paid
Accepted by: A. Mison Date: 8/21/14

Deputy

TOWN OF AURORA 5 SOUTH GROVE STREET, EAST AURORA, NY 14052
(716) 652-3280 FAX (716) 652-3507 www.townofaurora.com

The drainage plans have been submitted to the build department. We are going to utilize the natural slope of the lot. The land generally slopes from the high point on the north end of the lot to the south/southeast end of the lot. The natural drainage now flows into the wetland located to the south of the property where Smoke's Creek runs through the wetland. We will incorporate this natural flow when we plan the drainage for the foundation and roof run off.

The property is not located on any floodplains. The property does contact a Federal Wetland, and the property has been delineated by Earth Dimensions. There will be a permanent impact of 0.001 acre for the widening of an existing driveway and a temporary impact of 0.03 acre for the installation of utilities along the north edge of the property. I have obtained a permit from the U.S Army Corp of Engineers.

The total impact for the development will be less than 1 acre.

We hope you will grant us approval for our request.

Thank you,



David Schwing




To: Patrick Blizniak, Superintendent of Buildings, Town of Aurora, NY
Fm: Craig L. Thrasher, East Aurora Fire Department, 1021 Mill Road, East Aurora,
NY 14052 716/510-6320
Su: ODA Construction, 4485 New Transit Road, Town of Aurora, NY (Owner: Mr.
David Schwing)
Date: 8/20/2014

Following our on-site inspection of the property at 4485 New Transit Road on which a new residential construction project has been proposed, the Chief of the East Aurora Fire Department, Roger LeBlanc and I affirm that the owner's plans for a sixteen foot wide driveway and an additional three feet of clear space on either side, as presented and discussed, meet the requirements of the East Aurora Fire Department.

- 1) The Department requests the opportunity to inspect the driveway following initial excavation and prior to surface application.
- 2) It was suggested to Mr. Schwing that the potable water supply line be two inches internal diameter so as to provide adequate water service and to support a possible residential sprinkler system.
- 3) It was recommended that Mr. Schwing determine and understand the materials to be used in the structure construction to better understand the structural fire risks that they present.

Please contact me or Chief LeBlanc if you have further questions.


s/ Craig L. Thrasher
Senior Fire Investigator
East Aurora Fire Department

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information	
Name of Action or Project: DAVID SCHWING	
Project Location (describe, and attach a location map): 4485 TRANSIT RD	
Brief Description of Proposed Action: BUILDING A SINGLE FAMILY HOME ON 6.3 ACRE VACANT LOT IMPROVING AN EXISTING DRIVEWAY AND BUILDING A SINGLE FAMILY HOME. A 1 1/2 STORY HOME. TOTAL SQUARE FEET 2354. NO OTHER STRUCTURE ON LOT AND WE WILL NOT BE SPLITTING UP LOT.	
Name of Applicant or Sponsor: DAVID SCHWING	Telephone: 716-870-6891
Address: 9 PINEWOOD DR	E-Mail: dschwing780@verizon.net
City/PO: ORCHARD PARK	State: NY Zip Code: 14127
<p>1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.</p> <p>2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:</p> <p>T/AURORA BUILD PERMIT ERIE COUNTY HEALTH DEPT</p>	
<p>3.a. Total acreage of the site of the proposed action? <u> 41 </u> acres b. Total acreage to be physically disturbed? <u> 41 </u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.38 acres</p>	
<p>4. Check all land uses that occur on, adjoining and near the proposed action.</p> <p> <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland </p>	

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>EALE COUNTY WATER</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SEPTIC SYSTEM</u>		NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <u>0.03 ACRES</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		NO	YES

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>DAVID SCHWING</u> Date: <u>8/11/14</u>		
Signature: <u><i>David Schwing</i></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: <ul style="list-style-type: none"> a. public / private water supplies? b. public / private wastewater treatment utilities? 	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

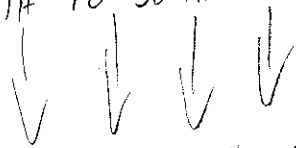
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT

NATURAL LAY OF
LAND FLOWS FROM
NORTH TO SOUTH/SOUTHEAST.



THE EXTREME SOUTH BORDER OF LOT
LIES A FEDERAL WETLAND WITH
SMOKE'S CREEK. RUNNING THROUGH THE
WETLAND. WE WILL BE
UTILIZING THE NATURAL FLOW OF
THE LAND TO RUN ALL DRAINAGE
FROM THE IMPACTED AREA TO THE
WETLAND + SMOKE'S CREEK.

EMERGENCY
VEHICLE
THROUGHWAY
25.5' WIDE
20' LONG

OPEN
DAVEWAY
AREA

8.58% ACRES
TO
RIGHT OF WAY

PROPOSED
5' x 10"

40' x 10"

SMOKE'S
CREEK



TRANSIT (100' WIDE) ROAD
195.70
WESTFIELD
100.00
100.00
100.00
100.00

DRIVEWAY
15' WIDE OF
MILLINGS
HARDPAVE TO
20' WIDE

UTILITY
TRENCH

NOTE: PARCEL NOT STAKED

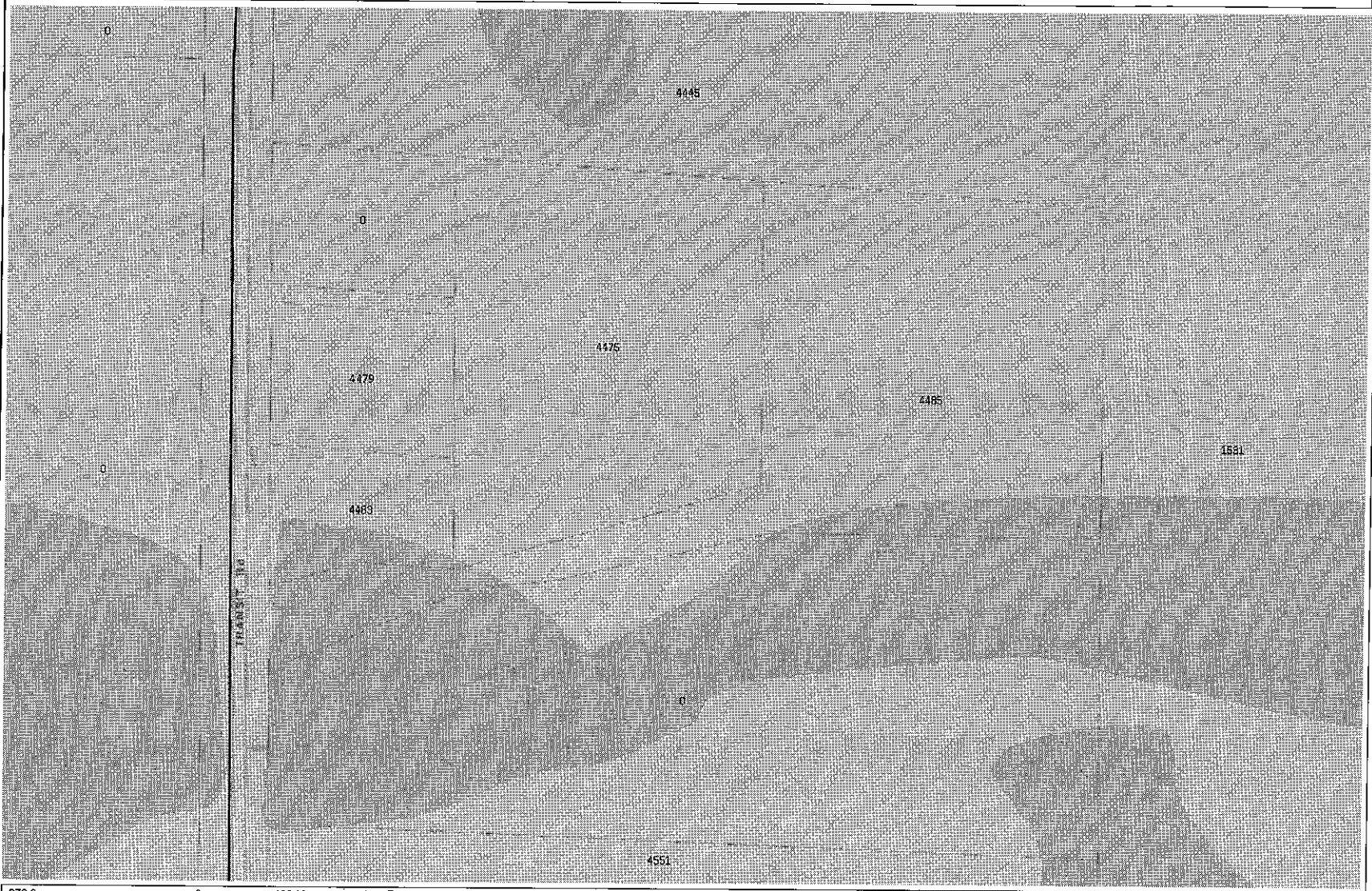
NOTE: THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF AN INSPECTION OF THE LAND TO WHICH THIS SURVEY RELATES. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE LAND IS SUBJECT TO A DEED OF TRUST.

DISOELL OSTON

DATE: OCTOBER 11, 2010 JOB NO: 10046 FIELD BOOK: DC SCALE: 1" = 80'

SURVEY OF PART OF LOT 63 SECTION 9 TOWNSHIP 9 RANGE 8
TOWN OF AURORA ERIE COUNTY, NEW YORK - HOLLAND LAND COMPANY

Erie County On-Line Mapping Application



- Legend**
- Parcels
 - National Wetlands Inventory
 - Wetlands
 - No Digital Data
 - Municipal Boundaries

376.2 0 188.08 376.2 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1:2,257



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO

September 30, 2011

Regulatory Branch

SUBJECT: Application No. 2007-01435, New York State Department of Environmental Conservation No. 9-1424-00166/00001, Nationwide Permit No. (29) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007.

Mr. David Schwing
8 Pinewood Drive
Orchard Park, New York 14127

Dear Mr. Schwing:

This pertains to your application for a Department of the Army permit for residential development of a single family home on a 6.38 acre parcel purchased from Mr. Andrew Gemold, located on the east side of Transit Road, south of US Route 20A, and north of Smoke Creek in the Town of Aurora, Erie County, NY.

The proposed project will involve widening the existing 10-foot wide driveway to 13 feet and rerouting it to minimize impacts to waters of the U.S. The widening will result in 0.001 acre of permanent fill to the south corner of Wetland W2. A 12-foot wide utility corridor will be constructed through the north edge of Wetland W2 resulting in the temporary impact of 0.03 acre. Two existing 12" culverts in the driveway will be replaced 18" culverts of the same length.

I have evaluated the impacts associated with your proposal, and have concluded that they are authorized by the enclosed Nationwide Permit provided that the attached conditions are satisfied.

Verification of the applicability of this Nationwide Permit (NWP) is valid until March 18, 2012 unless the NWP authorization is modified, suspended or revoked prior to this date. This verification will remain valid during this period if the NWP authorization is reissued without modification or your activity complies with any subsequent modification of the NWP authorization. Please note in accordance with 33 CFR 330.6(b) that if you commence or are under contract to commence this activity in reliance of your Permit prior to the date this NWP expires, or is suspended or revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the NWP, you have twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of this NWP, unless this NWP has been subject to the provisions of discretionary

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2007-01435, New York State Department of Environmental Conservation No. 9-1424-00166/00001, Nationwide Permit No. (29) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007

authority.

It is your responsibility to remain informed of changes to the NWP program. A public notice announcing any changes will be issued when they occur and will be available for viewing at our website: <http://www.lrb.usace.army.mil>. Finally, note that if your activity is not undertaken within the defined period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

During our review we considered all applicable Federal requirements as well as state Water Quality Certification (WQC) conditions. General Water Quality Certification, pursuant to Section 401 of the Clean Water Act, has been denied for this Nationwide Permit. A copy of the Individual Water Quality Certification you obtained from the New York State Department of Environmental Conservation is attached. This permit is subject to all terms and conditions placed upon the Individual Water Quality Certification. Questions regarding your WQC should be directed to:

Mr. Doug Borschel
Deputy Regional Permit Administrator
NYSDEC Region 9 Headquarters
270 Michigan Ave.
Buffalo, New York 14203-2915

Your initiation of work as authorized by the enclosed Nationwide Permit acknowledges your acceptance of the general and special conditions contained therein. This affirmation is limited to the attached Nationwide Permit and associated Individual Water Quality Certification, and does not obviate the need to obtain any other project specific Federal, state, or local authorization. Specifically, you may need to obtain Article 15 (Protection of Water) and/or Article 24 (Freshwater Wetland) authorization from the New York State Department of Environmental Conservation.

In addition to the general conditions attached to the Nationwide Permit, your attention is directed to the following Special Conditions which are also appended at the end of the Nationwide Permit General Conditions:

1. Prior to conducting any work authorized by this permit, siltation barriers (i.e. silt fencing or hay bales) must be installed between the wetlands and the adjoining development and

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2007-01435, New York State Department of Environmental Conservation No. 9-1424-00166/00001, Nationwide Permit No. (29) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007

- toed-in to prevent siltation into the wetlands. The erosion control devices must be checked periodically to ensure that they are functioning properly and not damaged.
2. Repairs to damaged siltation barriers must be completed promptly, and the siltation barriers must remain in place until the site is stabilized by the re-growth of suitable vegetation. All controls must be completely removed once the area is stabilized. ("Stabilized" is defined as 90% areal coverage of vegetative growth in the disturbed site.)
 3. All machinery used to conduct work authorized by this permit must be operated in the adjacent upland areas to the extent practicable.
 4. The movement of equipment within the wetland must be limited to the minimum necessary to accomplish the work authorized herein.
 5. The disposal of trees, brush and other debris in any stream corridor, wetland or surface water is prohibited.
 6. The permittee, including their contractors, must ensure the dredged material is not temporarily or permanently placed in Waters of the U.S., including wetlands.
 7. Following installation of the utility line, the permittee must restore the geographic contour elevations in the affected area to pre-construction contour elevations and pre-existing vegetative cover type and condition.
 8. The permittee must provide a copy of this correspondence and the attached permit to all contractors, subcontractors, and/or workers performing the work authorized by the permit and ensure they have knowledge of the terms and conditions of the permit, including all General and Special Conditions. Prior to commencing work authorized by this permit, a copy of the permit and drawings must be available at the construction site.
 9. The Section 401 Water Quality Certification issued for this project by the State of New York is hereby part of this Department of the Army permit pursuant to Section 401(d) of the Clean Water Act. Noncompliance with any limitations or requirements stated in the certification may be a basis for suspension, revocation or modification of this permit.

I would like to point out that the Federal wetland boundaries located on your property, as shown on the attached drawings, were confirmed on and will remain valid for a period of five (5) years from the date of this correspondence unless new information warrants revision of the

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2007-01435, New York State Department of Environmental Conservation No. 9-1424-00166/00001, Nationwide Permit No. (29) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007

delineation before the expiration. At the end of this period, a new wetland delineation will be required if the above described work is not completed. Further, this delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. 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 Resource Conservation Service prior to starting work.

Based upon my review of the submitted delineation and on-site observations, I have determined that wetland areas W1, W2, W3, and W5 on the subject parcel are part of a surface water tributary system to a navigable water of the United States as noted on the attached Jurisdictional Determination form. Therefore, the wetlands are regulated under Section 404 of the Clean Water Act. Department of the Army authorization is required if you propose a discharge of dredged or fill material in these areas.

In addition, I have determined that there is no clear surface water connection or ecological continuum between wetland area W4 on the parcel and a surface tributary system to navigable waters of the United States. Therefore, this water is considered a isolated, non-navigable, intrastate water and not regulated under Section 404 of the Clean Water Act. Accordingly, you do not need Department of the Army authorization to commence work in this area.

Finally, this letter contains an approved jurisdictional determination for the subject parcel. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form within 60 days of the date on this letter to the Great Lakes/Ohio River Division Office at the following address:

Ms. Pauline Thorndike
Review Officer
Great Lakes and Ohio River Division
CELRD-PDS-O
550 Main Street, Room 10032
Cincinnati, OH 45202-3222
Phone: 513-684-6212

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2007-01435, New York State Department of Environmental Conservation No. 9-1424-00166/00001, Nationwide Permit No. (29) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **November 30, 2011**.

It is not necessary to submit an RFA to the Division office if you do not object to the determination in this letter.

A copy of this correspondence has been forwarded to Mr. Doug Borschel, NYSDEC Region 9 Office, Mr. Andrew Gernold, Mr. Scott Livingstone at Earth Dimensions, Inc., and Mr. Gary Eckis.

Questions pertaining to this matter should be directed to me at (716) 879-4121, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by e-mail at: ernest.a.francisco@usace.army.mil

Sincerely,



Andy Francisco
Biologist

Enclosures