



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
ANTILLES OFFICE
FUND. ANGEL RAMOS ANNEX BLDG., SUITE 202
383 F. D. ROOSEVELT AVE.
SAN JUAN, PUERTO RICO 00918

May 31, 2017

Regulatory Division
South Permits Branch
Antilles Permits Section
SAJ-2017-00712 (NWP-CGR)

Mr. Pedro A. de León
Acting Director
Environmental Affairs Office
Municipality of Caguas
P.O. Box 907
Caguas, Puerto Rico 00726

Dear Mr. de León:

The U.S. Army Corps of Engineers (Corps) assigned the file number SAJ-2017-00712(NWP-CGR) to your application for a Department of the Army permit, which the Corps received on April 28, 2017. A review of the information and drawings provided indicates that the proposed work would result in the discharge of fill material in a total area of approximately 0.067 acres of an unnamed creek for the construction of the following structures:

1. Area 1: Construction of a concrete box culvert of 80 feet long by 6 feet wide and 4 feet high with head walls at both ends of the box culvert. Approximately, 0.022 acres of an unnamed creek would be impacted for the construction of the concrete box culvert and its headwalls. A temporary pipe of 36" diameter and dikes will be installed to manage the overflow water of the pond during the construction process. Approximately, 0.011 acres of an unnamed creek would be impacted temporarily for the construction of dikes and water diversion during the construction process.
2. Area 2: Replacement of three 32 - inch diameter pipes with three 48 - inch diameter pipes. This work would impact approximately 0.032 acres of an unnamed creek due to the re-discharge of fill material.
3. Area 3: Replacement of two 48 - inch diameter pipes with a concrete box culvert of 32 feet long by 7 feet wide and 4 feet high and its headwalls. Approximately, 0.013 acres of an unnamed creek would be impacted for the construction of the box culvert and headwalls. Approximately, 0.008 acres of the unnamed creek would be impacted temporarily for the construction of dikes and water diversion during the construction process.

The project is located at State Road PR-739, El Faro Sector, San Antonio Ward, Municipality of Caguas, Puerto Rico.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number #14 (Linear Transportation Projects). In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2022**. 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 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 nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 82, dated January 6, 2017, specifically pages 1983 to 2008, and the table of Regional Conditions. The Internet page address is:

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

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP # 14. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. You must file a "Notice of Intent to be covered by the General Water Quality Certificate" (EQB Form GWQC-1), copy enclosed, with the Puerto Rico Environmental Quality Board. A copy of the stamped form GWQC-1 must be provided to this office to the letterhead address.
2. The permittee shall comply with the attached Culvert Design and Construction Guidance.
3. The permittee shall comply with attached conservation measures for the Puerto Rican Boa.
4. Prior to remove vegetation and to commence the construction of the authorized project, if the project development occurs in the breeding season of the Puerto Rican plain pigeon between March and August, the permittee shall conduct nests searches of the Puerto Rican plain pigeon and it must be conducted by experienced and qualified personnel.
 - a. If plain pigeon nests are found, all construction activities should cease until chicks fledge the nests.
5. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into waters of the United States. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.

6. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native cultures or early colonial or Spanish settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

7. All temporarily fill material and temporarily pipes placed in waters of the U.S. for the construction of temporarily dikes and water diversion must be removed from waters of the U.S. and discharge in uplands outside the project site and the area shall be restored to pre-project conditions once the authorized project is completed.

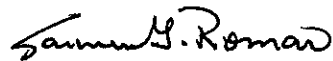
8. Within 60 days of completion of the work authorized, the attached *Self-Certification Statement of Compliance* must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Antilles Regulatory Section: Fund. Angel Ramos, Annex Bldg., Suite 202, 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918 and to the Special Projects and Enforcement Branch, P.O. Box 4970, Jacksonville, Florida 32232-0019.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact me by telephone at 787-729-6637.

Thank you for your cooperation with our permit program.

Sincerely,

A handwritten signature in black ink that reads "Carmen G. Román". The signature is written in a cursive style with a large initial 'C'.

Carmen G. Román
Project Manager

Enclosures

ec:
EQB

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on **March 18, 2022**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2017-00712 (NW-CGR)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 and Antilles Regulatory Section in Puerto Rico (Fund. Angel Ramos, Annex Bldg., Suite 202, 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

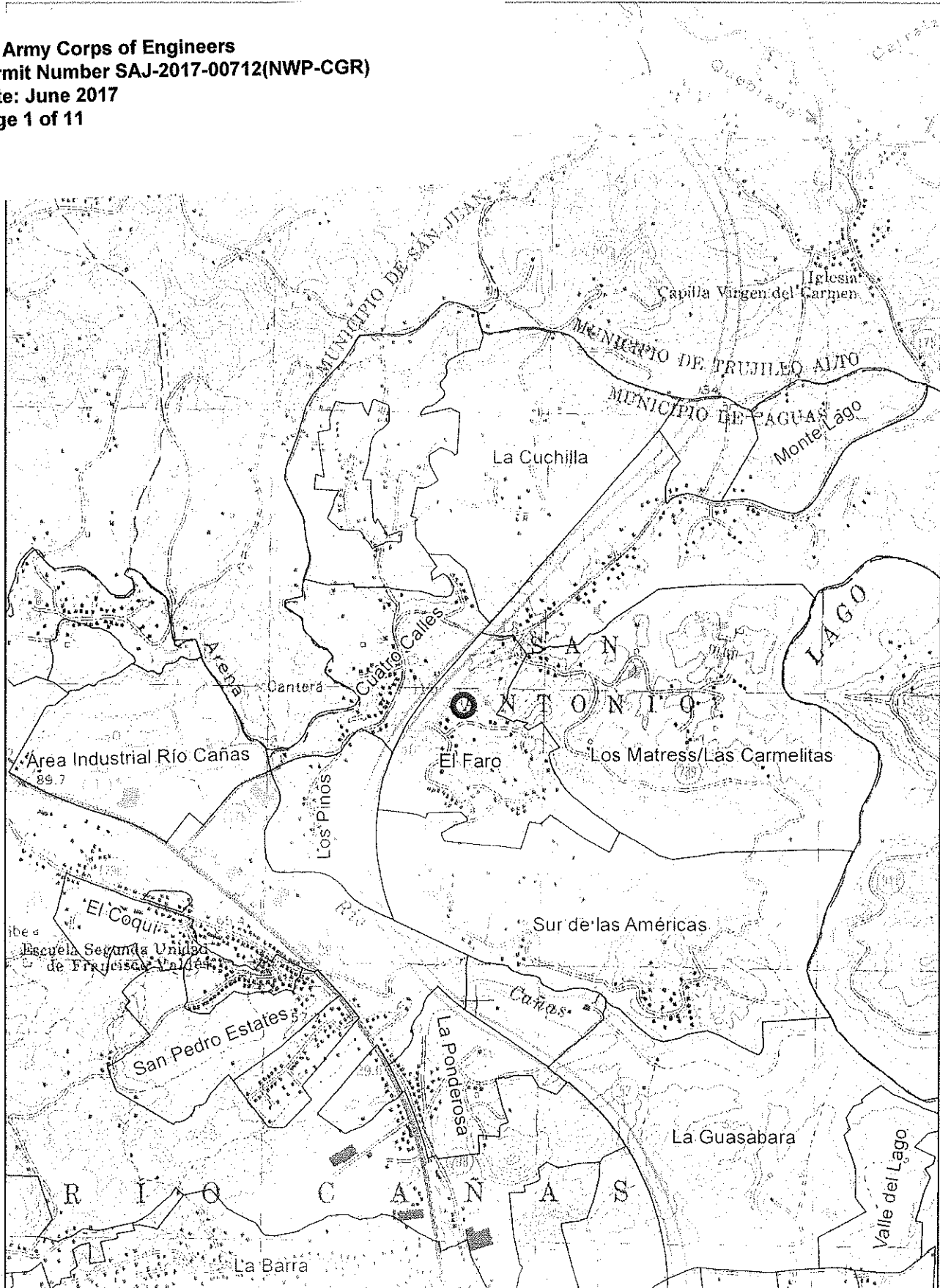
(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

Mapa Topográfico
Proyecto Mejoras al Sistema Pluvial, Sector El Faro
Barrio San Antonio, Municipio Autónomo de Caguas



US Army Corps of Engineers
Permit Number SAJ-2017-00712(NWP-CGR)
Date: June 2017
Page 1 of 11



Preparado por:
Oficina de Asuntos Ambientales

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Foto Aérea
Proyecto Mejoras al Sistema Pluvial, Sector L. Faro
Barrio San Antonio, Municipio Autónomo de Caguas



Preparado por:
Oficina de Asuntos Ambientales

US Army Corps of Engineers
Permit Number SAJ-2017-00712(NWP-CGR)
Date: June 2017
Page 2 of 11

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NORTE

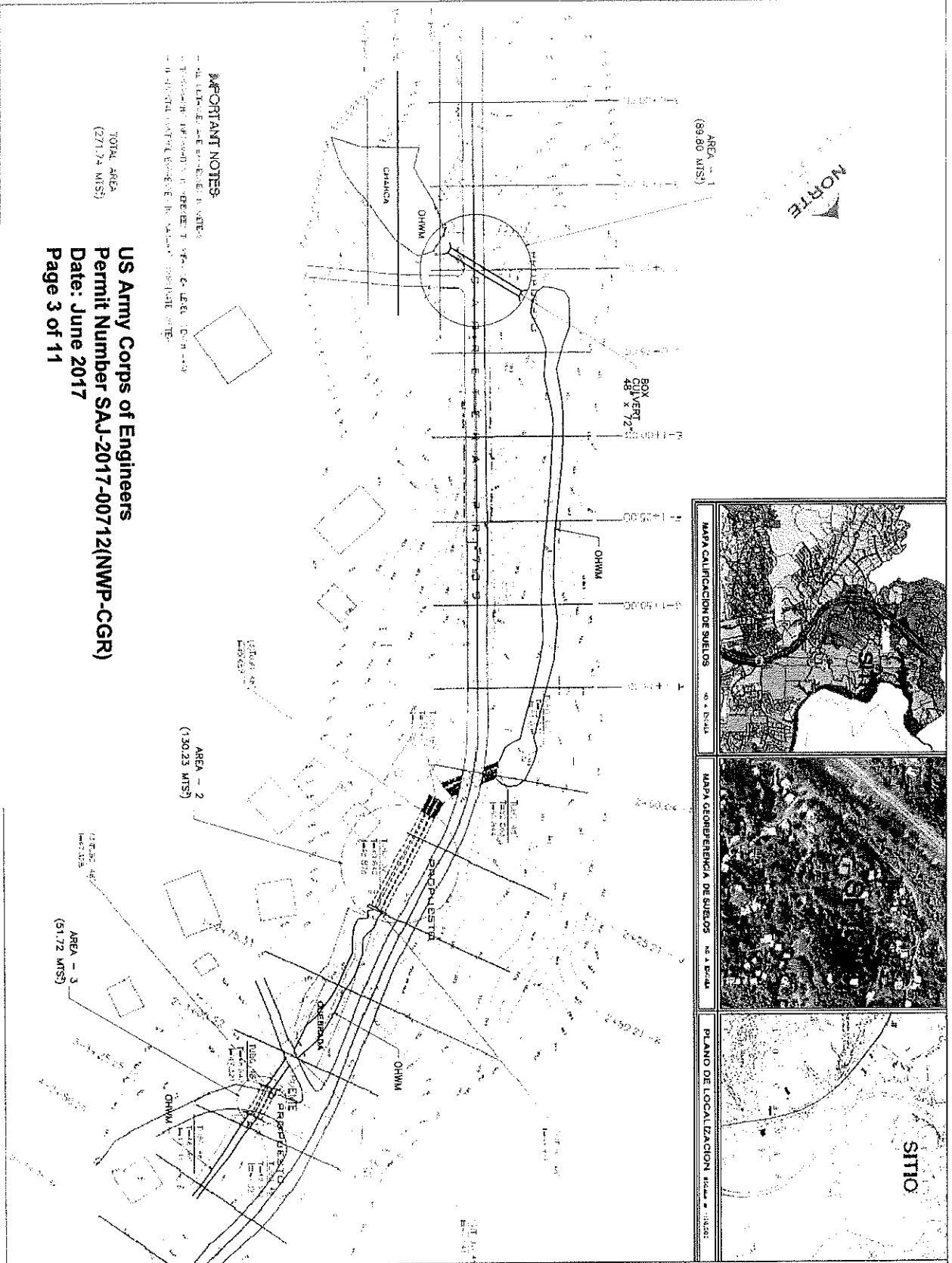
AREA - 1
(89.80 MTS)

BOX
CULVERT
48
X
17.2

IMPORTANT NOTES:
 - ALL DIMENSIONS ARE GIVEN IN METERS
 - THE LOCATION OF THE PROPOSED IMPROVEMENTS IS SHOWN IN RED
 - THE EXISTING UTILITIES ARE SHOWN IN BLACK
 - THE PROPOSED UTILITIES ARE SHOWN IN BLUE

TOTAL AREA
(27174 MTS)

US Army Corps of Engineers
Permit Number SAJ-2017-00712(NWP-CGR)
Date: June 2017
Page 3 of 11

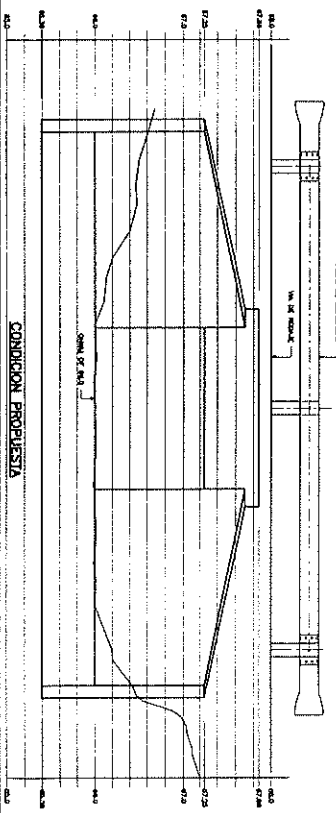
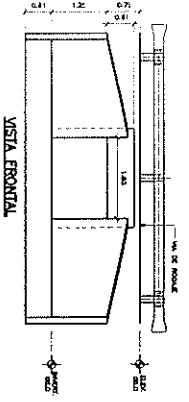
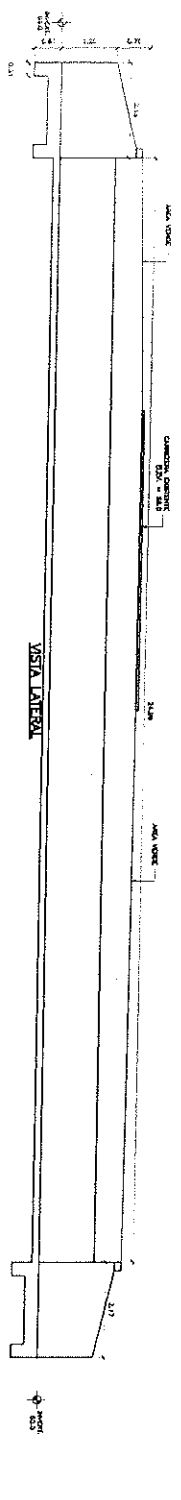
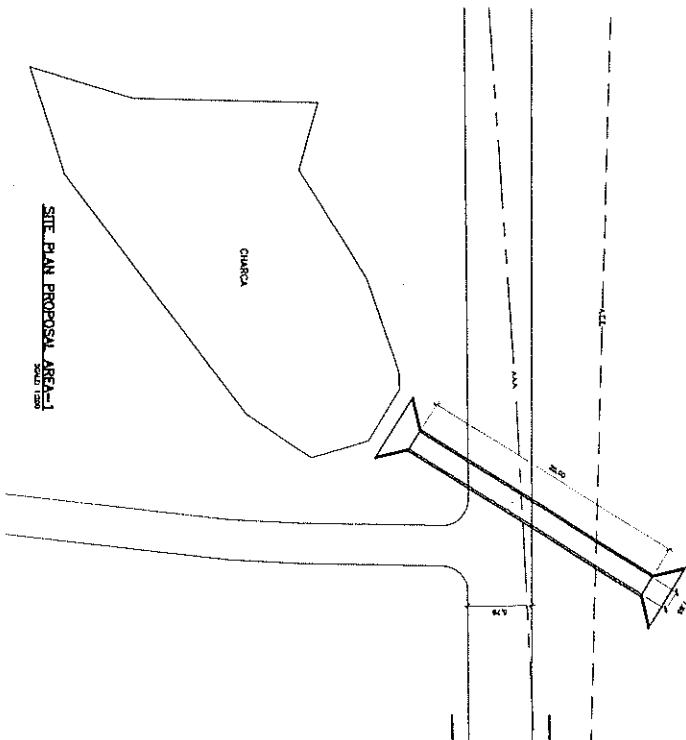
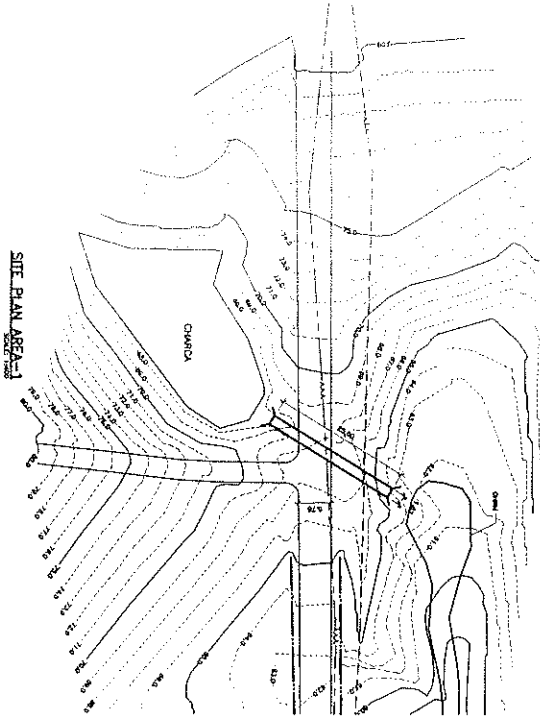


MAPA CALIFICACION DE SUELOS No. 2 D-114	
MAPA GEOMORFIA DE SUELOS No. 4 D-114	
PLANO DE LOCALIZACION No. 1 D-114	

DATE	DESIGN BR:	DRAWING BR:	APPROVED BR:	SHEET:
PROJECT:	MEJORAS PLUVIALES, CARR. P.R.-739 SECTOR EL FARO, Bo. SAN ANTONIO CAGUAS, PUERTO RICO			
TITLE:	HOJA TITULAR			
SHEET:	1	14		

OFICINA DE DESARROLLO DE PROYECTOS Y MOVILIDAD CIUDADANA

MUNICIPIO DE CAGUAS



OFICINA DE DESARROLLO DE
 PROYECTOS Y MOVILIDAD CIUDADANA

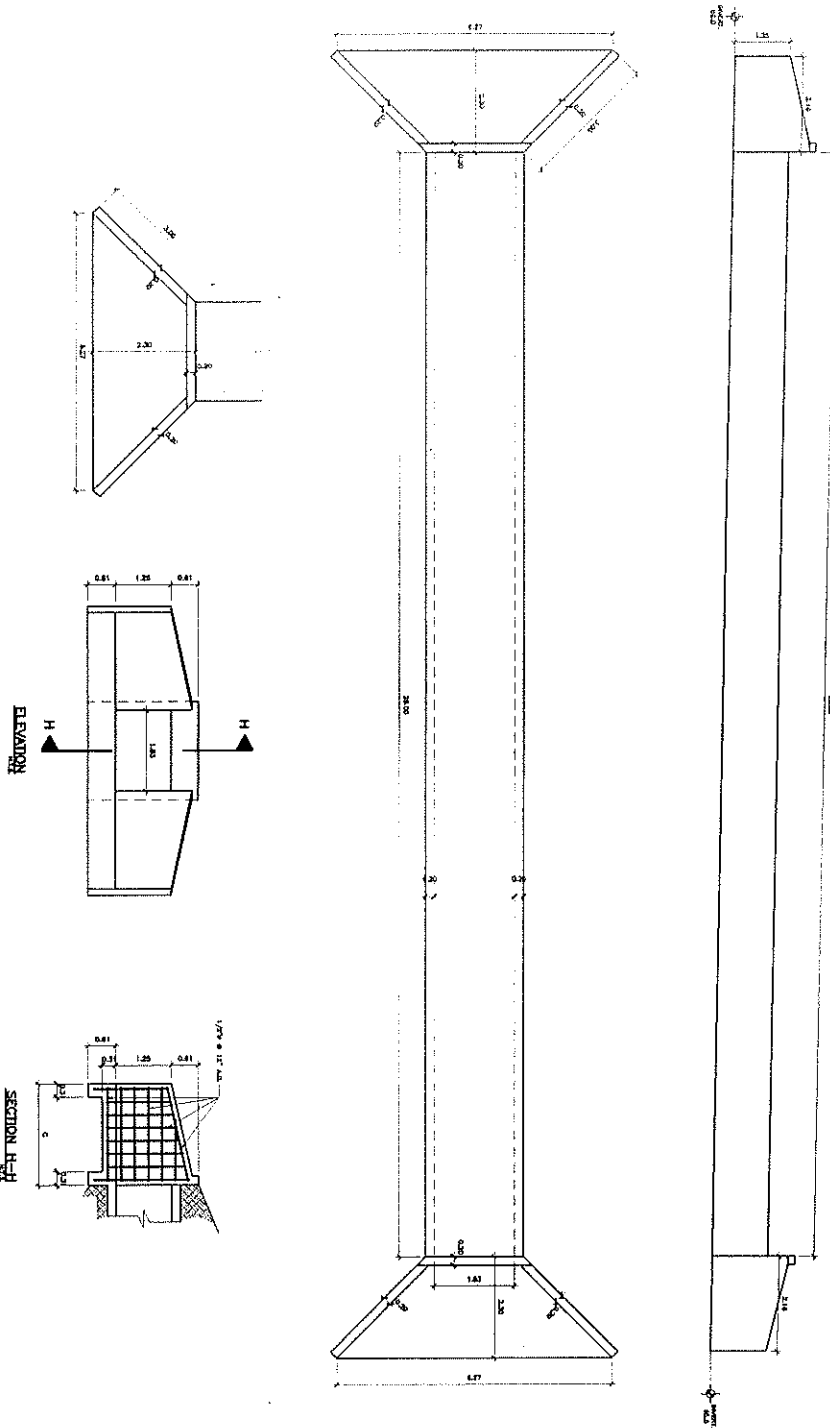
MUNICIPIO DE CAGUAS


TITLE:
 AREA 1

PROJECT:
 MEJORAS PLUVIALES,
 CARR. P.R.-739
 SECTOR EL FARO,
 Bo. SAN ANTONIO
 CAGUAS, PUERTO RICO

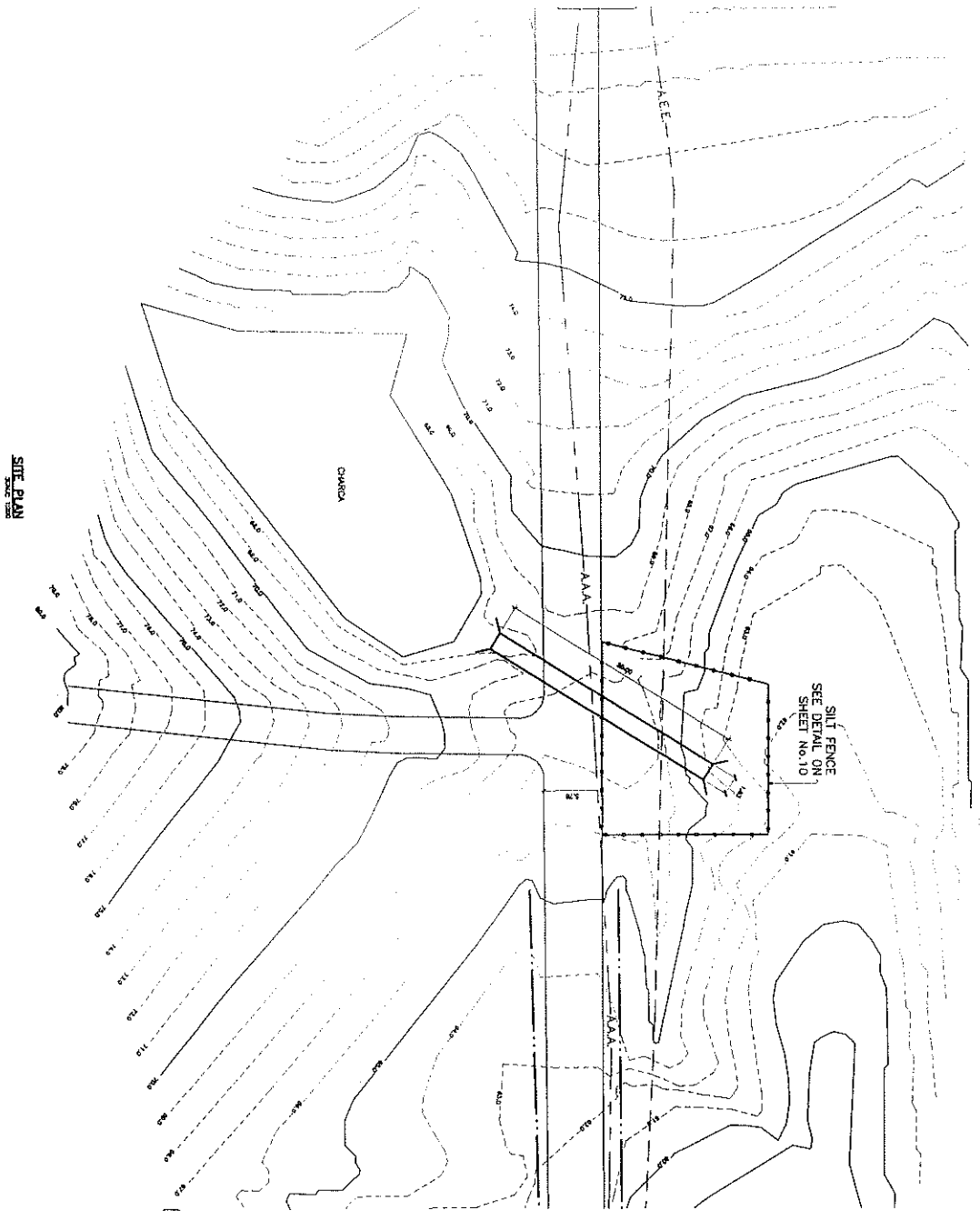
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 2 / 14

US Army Corps of Engineers
 Permit Number SAJ-2017-000712(NWP-CGR)
 Date: June 2017
 Page 5 of 11




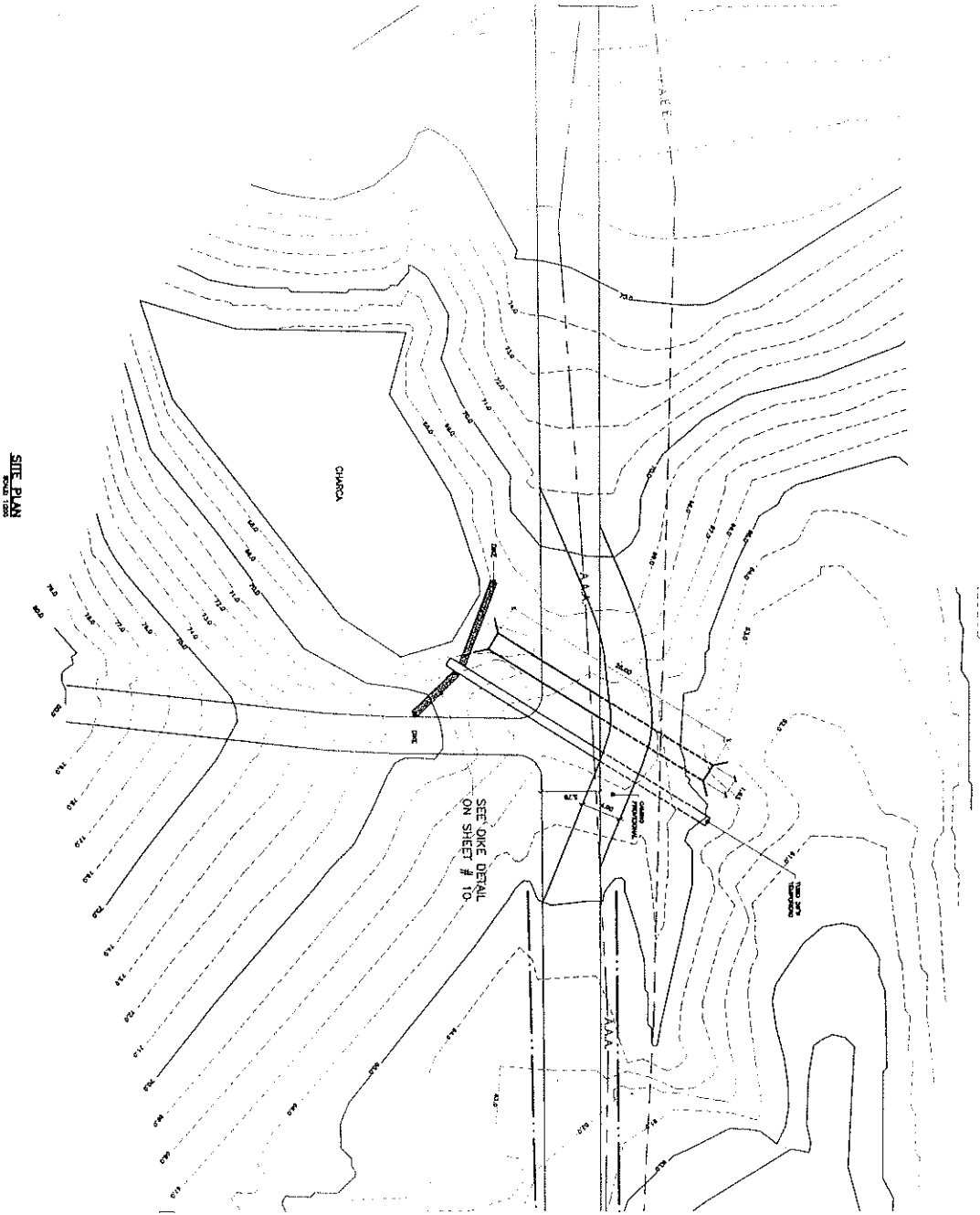
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	14					
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SITE PLAN

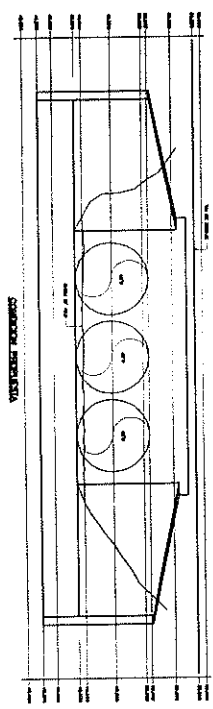
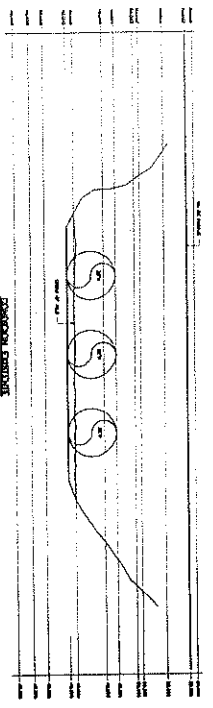
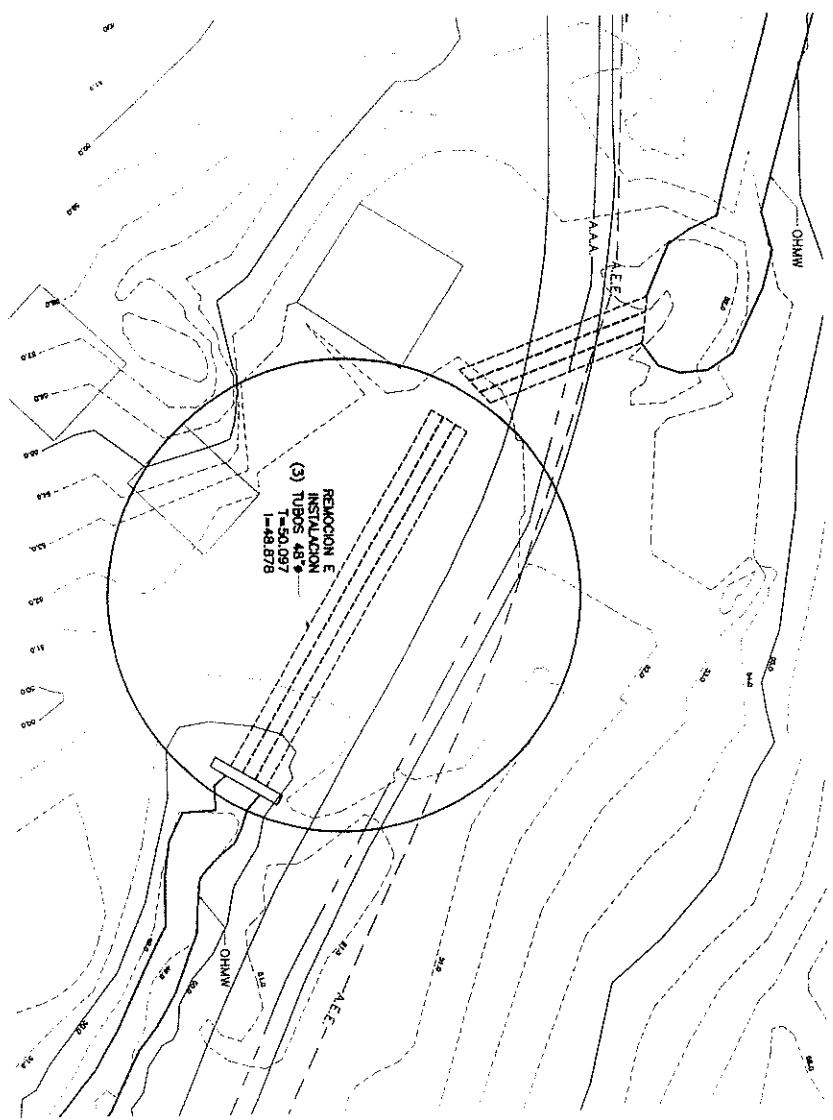
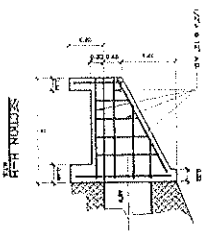
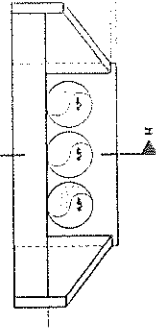
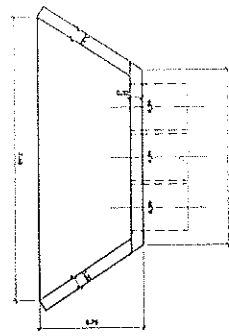
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		DESIGN BY:	MEJORAS PLUVIALES, CARR. P.R.-739 SECTOR EL FARO, Bo. SAN ANTONIO CAGUAS, PUERTO RICO	PLAN CES -1 AREA 1	
		DRAWING BY:			
		APPROVED BY:			
		SHEET:			



SITE PLAN
 SCALE: 1"=100'

5	14	PROJECT:	MEJORAS PLUVIALES, CARR. P.R.-739 SECTOR EL FARO, Bo. SAN ANTONIO CAGUAS, PUERTO RICO	TITLE:	PLAN CES -2 AREA 1	OFICINA DE DESARROLLO DE PROYECTOS Y MOVILIDAD CIUDADANA  MUNICIPIO DE CAGUAS
		DATE:				
		DESIGN BY:				
		DRAWING BY:				
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US Army Corps of Engineers
 Permit Number SAJ-2017-00712(NWP-CGR)
 Date: June 2017
 Page 8 of 11

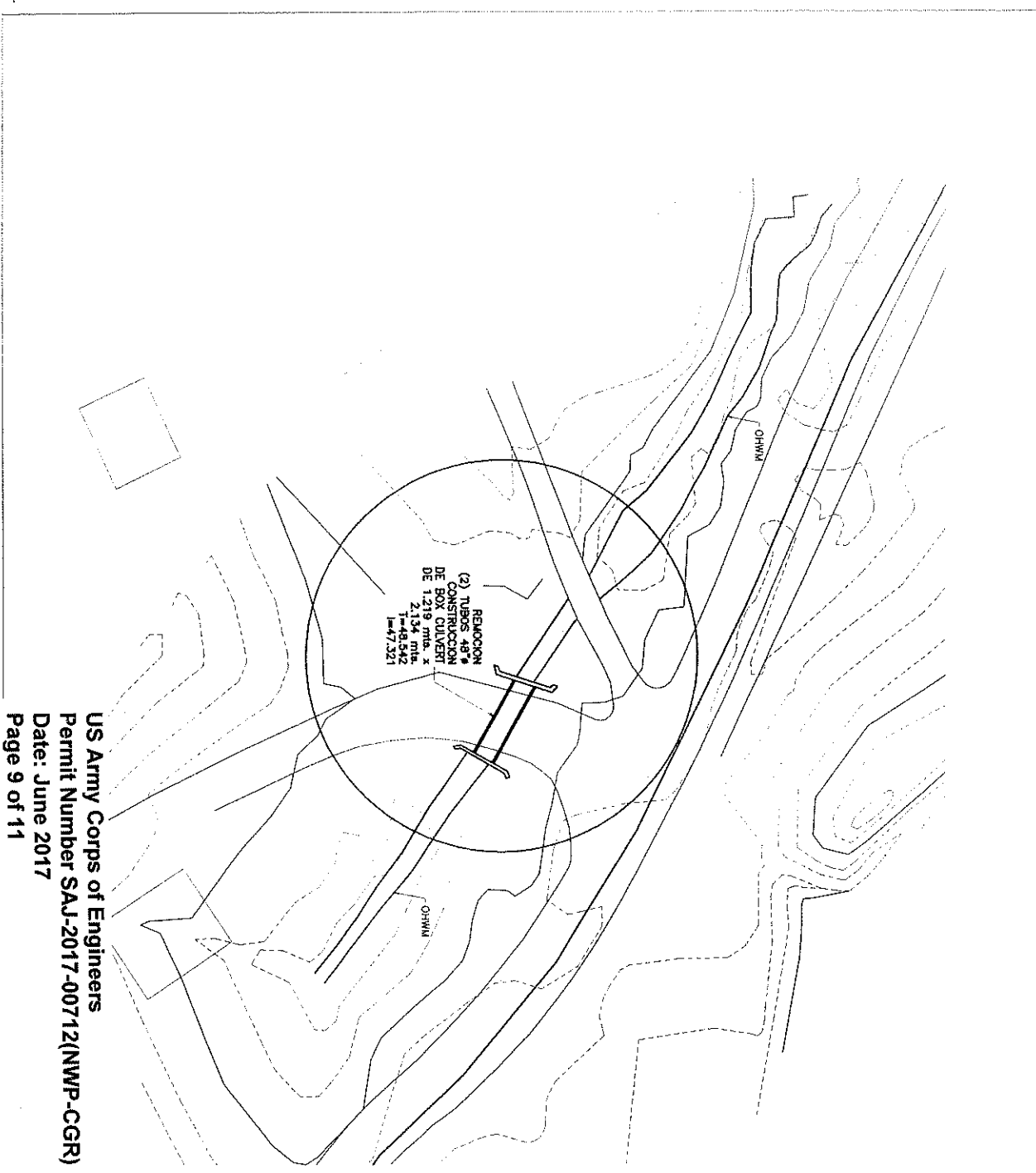
OFICINA DE DESARROLLO DE PROYECTOS Y MOVILIDAD CIUDADANA

MUNICIPIO DE CAGUAS


TITLE:
 AREA # 2

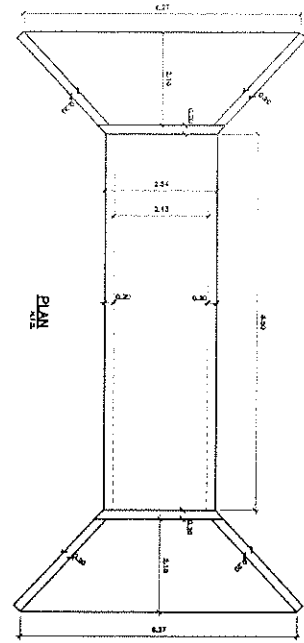
PROJECT:
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 CARR. P.R.-739
 SECTOR EL FARO,
 Bo. SAN ANTONIO
 CAGUAS, PUERTO RICO

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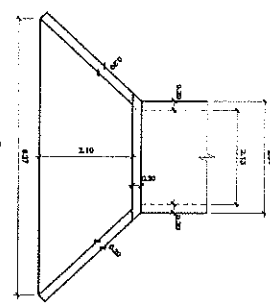


US Army Corps of Engineers
 Permit Number SAJ-2017-00712(NWP-CGR)
 Date: June 2017
 Page 9 of 11

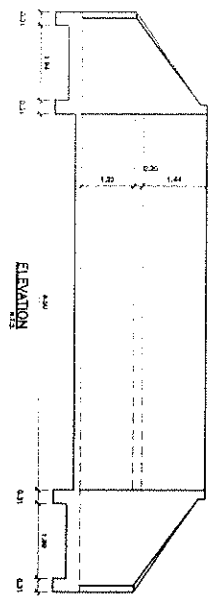
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		DATE: DESIGN BY: DRAWING BY: APPROVED BY:		



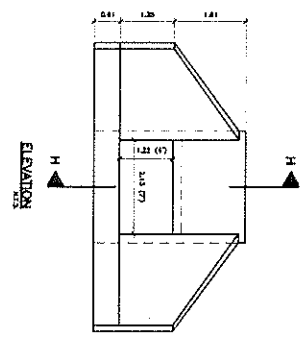
PLAN



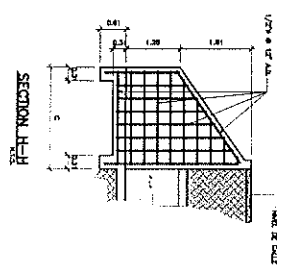
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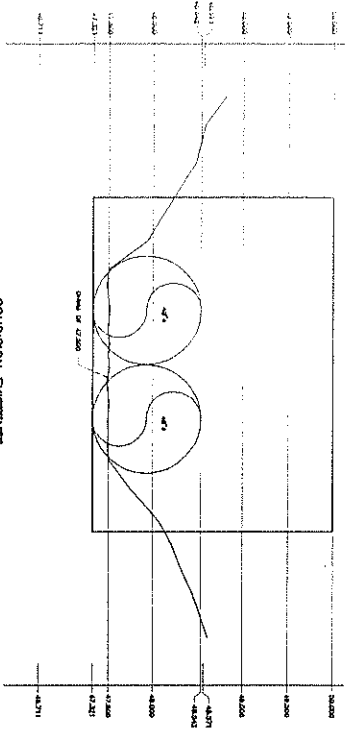
ELEVATION



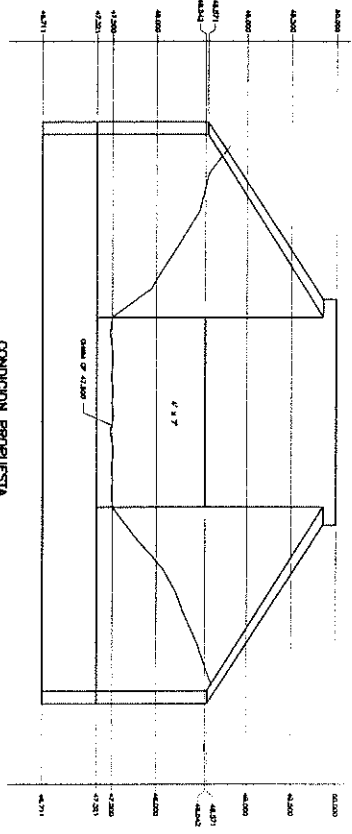
ELEVATION



SECTION



CONDICION EXISTENTE



CONDICION PROPOSTA

US Army Corps of Engineers
 Permit Number SAJ-2017-00712(NWP-CGR)
 Date: June 2017

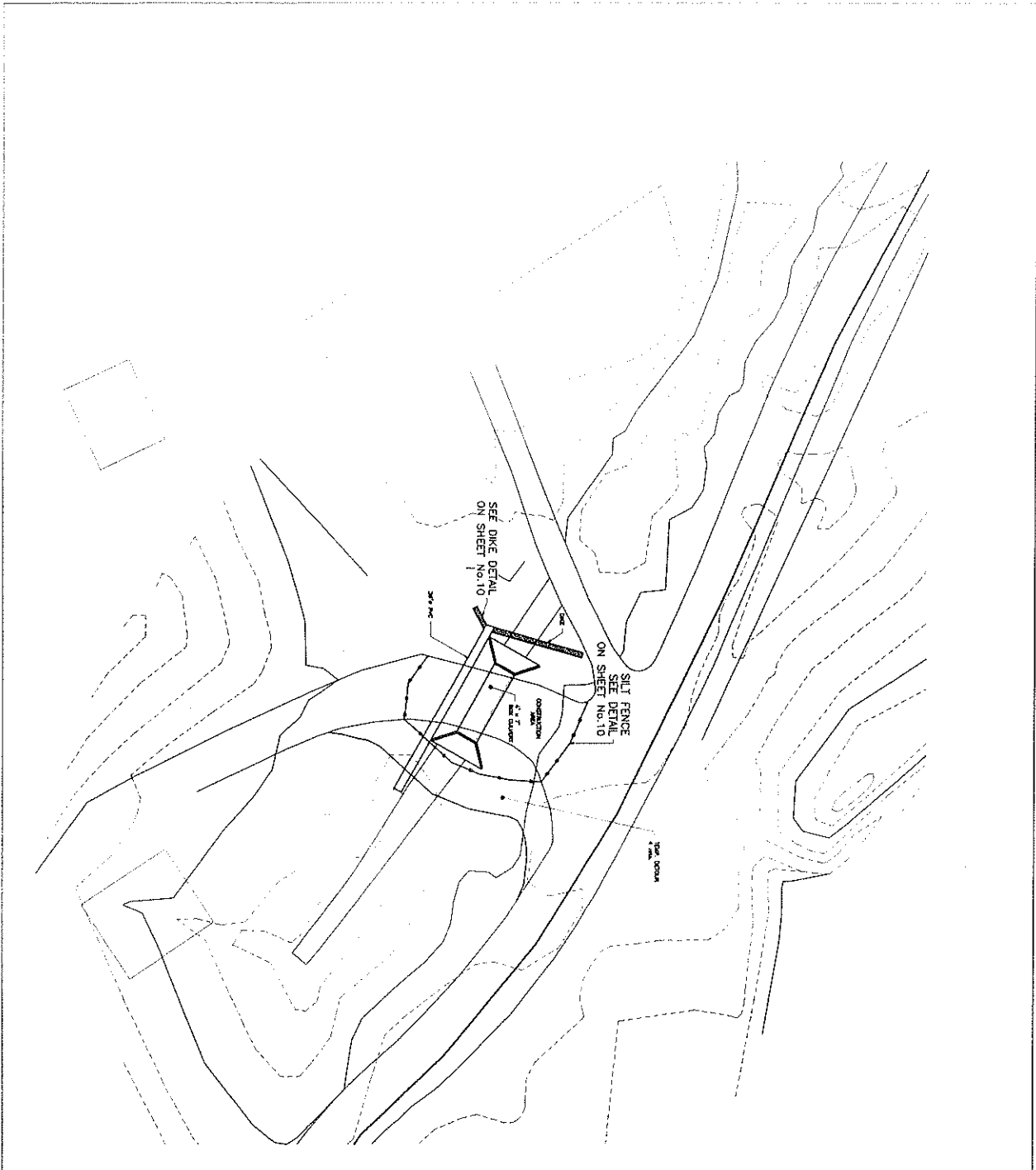
OFICINA DE DESARROLLO DE PROYECTOS Y MOVILIDAD CIUDADANA

MUNICIPIO DE CAGUAS

TITLE:
ESTRUCTURAL AREA # 3

PROJECT:
MEJORAS PLUVIALES, CARR. P.R.-739 SECTOR EL FARO, Bo. SAN ANTONIO CAGUAS, PUERTO RICO

DESIGN BY:	DATE:	PROJECT:
DRAWING BY:		
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SHEET:	8	14



US Army Corps of Engineers
 Permit Number SAJ-2017-00712(NWP-CGR)
 Date: June 2017
 Page 11 of 11

9	SHEET	DATE:	PROJECT:
	14	DESIGN BY:	MEJORAS PLUVIALES,
		DRAWING BY:	CARR. P.R.-739
		APPROVED BY:	SECTOR EL FARO,
			Bo. SAN ANTONIO
			CAGUAS, PUERTO RICO

TITLE:
 PLAN CES
 AREA # 3

OFICINA DE DESARROLLO DE
 PROYECTOS Y MOVILIDAD CIUDADANA

MUNICIPIO DE CAGUAS

CONSERVATION MEASURES FOR THE PUERTO RICAN BOA - USFWS

General Information:

The Endangered Puerto Rican boa (*Epiplatys inornatus*) is an endemic species and it is the largest snake that inhabits the Puerto Rico Island Shelf. The color and pattern of the Puerto Rican boa is highly variable. The species color can range from tan to dark brown with irregular diffuse marking on the dorsum but some individuals lack marking and are uniformly dark. Juveniles have reddish brown ground color with numerous pronounced markings. The Puerto Rican boa can be found in the habitat range from the sea level to about 400 m of elevation. The boa tolerates a wide variety of habitat types ranging from wet montane to subtropical dry forest and can be found from virgin forest to areas that exhibit various degrees of human disturbance like roadside or out buildings. Boas are more active at night, remaining less active concealed or basking in the sun during the day. The U.S. Fish and Wildlife Service (Federal Register October 13, 1970) listed the Puerto Rican boa (*Epiplatys inornatus*) as endangered in 1970 and it is protected by the Endangered Species Act of 1973, as amended. Any person that injures, captures, or kills a Puerto Rican boa is subject to penalties under federal law of up to \$100,000, one year in prison or a combination of both.

Recommendations:

The U.S. Fish and Wildlife Service (hereafter the Service) has developed recommendations to avoid or minimize impacts on the boa during a project development in an area where the boa may occur. The recommendations are the following:

- A. Prior to any earth movements or vegetation clearing, the boundaries of the project area, the buffer areas and areas to be protected should be clearly marked in the project plan and in the field.
- B. A pre-construction meeting should be conducted to inform supervisors and employees about the conservation of protected species, as well as penalties for harassing or harming such species.
- C. Prior to any use of machinery on areas where the boa may occur, the vegetation should be cleared by hand to provide time to the boa, if present, to be detected or move away from the area. All personnel involved in site clearing must be informed of the potential presence of the snake, and the importance of protecting the snakes.
- D. Before activities commence each workday during the vegetation clearing phase, the experienced personal in identifying and searching for boas should survey the areas to be cleared that day, to ensure that no boas are present or affected within the work area. If boas are found within the working area, activities should stop at the area where the boas are found until the boas move out of the area on their own. Activities at other work

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sites, where no boas have been found after surveying the area, may continue. If relocation of the species is necessary, any relocated boas should be transferred by authorized personnel of the Department of Natural and Environmental Resources (DNER) to appropriate habitat close to the project site. Any findings should be reported to the Service and to the DNER Ranger office so they can further assist you in developing sound conservation measures and specific recommendations to avoid, minimize and/or compensate for any impacts to this species.

- E. Strict measures should be established to minimize boa casualties by motor vehicles or other equipment. Before operating or moving equipment and vehicles in staging areas near potential boa habitats (within 25 meters of potential boa habitat), these should be thoroughly inspected to ensure that no boas are lodged in the standing equipment or vehicles. If boas are found within vehicles or equipment, authorized personnel of DNER must be notified immediately for proper handling and relocation. Any relocated boas should be transferred to appropriate habitat close to the project site.

PAW

DR

The Service encourages the use of bottomless culverts or bridges in lieu of either single or multiple pipes and culverts with bottoms. However, if bottomless culverts or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:

- 1) Culvert alignment should follow the natural curvature of the stream.
- 2) Culverts should be designed to approximate the total stream width and/or carry bankfull flow. Bankfull flow is defined as the flow that fills the active channel to the top of its banks, just prior to overtopping and flooding. It is usually estimated as the 1.5-2 year flow. It is this flow that maintains the stream channel and will also maintain the culverts free from excess sedimentation.
- 3) Abutments should not intrude into the active stream channel. Abutments intruding into the active stream channel only serve as points for erosion to start. Abutments should be firmly anchored into the stream channel.
- 4) All culverts and footings must be countersunk. Culverts should be countersunk at both the invert and outlet end a minimum of 10% of the culvert height. This will align the culvert with the slope of the stream. Calculations of culvert capacity should take this construction feature into consideration. Natural stream bed material will form the bottom of the countersunk culvert. This material does not impede flow and does not have to be "cleaned" out.
- 5) In the case of multiple pipe designs such as triple box culverts, only one culvert should be designed to carry bankfull flows, it may be necessary to have additional culverts to carry flood flows. The other culverts should be elevated or have a restriction or baffle at the inlet openings to impede low flows from entering the culvert. This will maintain the main culvert active throughout the year and free of excess sedimentation during periods of low flow.
- 6) If the terrain is steep, placement of a culvert may allow for unacceptably fast flows that can cause excessive scour at the outlet. In this situation, stone baffles should be placed at the outlet to smooth the transition from the culvert to the stream bed and minimize scour.
- 7) If the construction is occurring on bedrock then the requirement for countersinking need not apply, however, additional baffling may be needed to reduce flows at the outlet.
- 8) The use of gabion structures or reno mattresses should be minimized since this is not a permanent solution and may cause additional problems later on.

Following the above mentioned culvert design criteria will assure compliance with the COE Aquatic Life Movement special condition.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2017-00712(NWP-CGR)

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date



PUERTO RICO ENVIRONMENTAL QUALITY BOARD

**WATER QUALITY AREA
Non-Industrial Permits Section**

NOTICE OF INTENT TO BE COVERED BY THE GENERAL WATER
QUALITY CERTIFICATE FOR APPLICABLE CASES OF THE
U. S. CORPS OF ENGINEERS NATIONWIDE PERMITS

I. COE PERMIT INFORMATION											
COE Application Number						Latitude			Longitude		
						Deg	Min	Sec		Deg	Min
II. AFFECTED WATER BODY											
III. NAME OF PROJECT											
IV. APPLICANT											
Name											
Title						Phone					
								-			
V. APPLICANT MAILING ADDRESS											
Street or P.O. Box											
City or Town						Zip Code			4+ Optional		
VI. PROJECT LOCATION											
Street, Route Number or Other Specific Identifier											
City or Town						Zip Code			4+ Optional		

VII. PROVIDE A BRIEF DESCRIPTION AND PURPOSE OF THE PROJECT

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VIII. ENCLOSED CERTIFICATION OF COMPLIANCE WITH ARTICLE 4 (B)(3) OF LAW NO. 416 OF SEPTEMBER 22, 2004

Yes or No

IX. ENCLOSED LETTER FROM THE COE INDICATING THE TYPE OF NWP APPLICABLE TO THE PROJECT AND STATING THAT THE APPLICATION FOR A COE PERMIT IS COMPLETE.

Yes or No

X. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments included as part of this application and that, based on my inquiry of those persons immediately responsible for obtaining the contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Name (type or print)

--

Official Title

--

Signature	Date Signed			
	MM	DD	YY	