

ORDER FOR SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

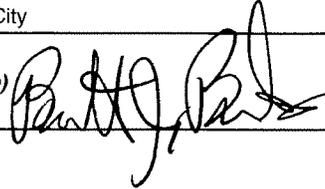
1. DATE OF ORDER 02/02/2007		2. CONTRACT NO. (If any)		6. SHIP TO: Michael Luzinski		
3. ORDER NO. DTMA3V07005		4. REQUISITION/REFERENCE NO. PRCR0700105		a. NAME OF CONSIGNEE DOT/Maritime Administration, Central Region		
5. ISSUING OFFICE (Address correspondence to) DOT/Maritime Administration, CR Acquisition 500 POYDRAS ST., ROOM 1223 NEW ORLEANS LA 70130-3394				b. STREET ADDRESS Ship Operations Field Office 550 Fannin Street Suite 1320		
7. TO:		c. CITY Beaumont		d. STATE TX	e. ZIP CODE 77701	
a. NAME OF CONTRACTOR				f. SHIP VIA		
b. COMPANY NAME LANIER & ASSOCIATES CONSULTING				8. TYPE OF ORDER		
c. STREET ADDRESS 4101 MAGAZINE ST				<input checked="" type="checkbox"/> a. PURCHASE REFERENCE YOUR: Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.		<input type="checkbox"/> b. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.
d. CITY NEW ORLEANS		e. STATE LA	f. ZIP CODE 70115-2750			
9. ACCOUNTING AND APPROPRIATION DATA 70 - 07 - CR - BGTBRF - - 1CR - - BGTBRF0 - 25432 - 00 - 00000000 - - - - -				10. REQUISITIONING OFFICE DOT/Maritime Administration, Central Region		

11. BUSINESS CLASSIFICATION (Check appropriate box(es))				15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)		16. DISCOUNT TERMS	
<input type="checkbox"/> a. SMALL		<input type="checkbox"/> b. OTHER THAN SMALL		<input type="checkbox"/> c. DISADVANTAGED		<input type="checkbox"/> d. WOMEN-OWNED	
12. F.O.B. POINT Destination		14. GOVERNMENT B/L NO.		01/29/2007		10 days % 20 days % 30 days % days %	
13. PLACE OF							
a. INSPECTION		b. ACCEPTANCE					

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	SEE LINE ITEM DETAIL					

SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.		17(h) TOT. (Cont. pages) 17(i) GRAND TOTAL
	21. MAIL INVOICE TO: Kelly Nelson						
	a. NAME DOT/ Enterprise Services Center (ESC) OFO/FAA, Oklahoma City						
	b. STREET ADDRESS (or P.O. Box) MARAD A/P Branch, AMZ-150 PO Box 25710						
c. CITY Oklahoma City			d. STATE OK	e. ZIP CODE 73125		\$10,214.52	

22. UNITED STATES OF AMERICA BY (Signature) 			23. NAME (Typed) Benedict J. Burnowski TITLE: CONTRACTING/ORDERING OFFICER				
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**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 02/02/2007	CONTRACT NO.	ORDER NO. DTMA3V07005
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ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)						
0001	<p>PRE-DREDGING SOIL AND WATER ANALYSIS</p> <p>THE PURCHASE OF ENGINEERING SERVICES TO OBTAIN, ANALYZE, COMPILER REQUIRED EPA REPORTS, AND SUBMIT FINDINGS TO THE JEFFERSON COUNTY WATERWAY AND NAVIGATIONAL DISTRICT OF THE BEAUMONT RESERVE FLEET SOIL AND WATER SAMPLES IN WAY OF THE SCHEDULED MAINTENANCE DREDGING. THIS ACTION IS BEING REQUIRED BY THE STATE OF TEXAS PRIOR TO THE START OF THE DREDGING PROJECT.</p> <p>THE ESTIMATED COST FOR THIS PROJECT NTE: \$10,000.00</p> <table border="0"> <tr> <td><i>Delivery Date</i></td> <td><i>Start Date</i></td> <td><i>End Date</i></td> </tr> <tr> <td>01/29/2007</td> <td>01/29/2007</td> <td>03/01/2007</td> </tr> </table> <p>Reference Requisition: PRCR0700105</p>	<i>Delivery Date</i>	<i>Start Date</i>	<i>End Date</i>	01/29/2007	01/29/2007	03/01/2007	1.00	JOB	10,214.520	10,214.52	
<i>Delivery Date</i>	<i>Start Date</i>	<i>End Date</i>										
01/29/2007	01/29/2007	03/01/2007										

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17i) ➔ \$10,214.52

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COMMERCIAL CLAUSES

1 52.252-02 CLAUSES INCORPORATED BY REFERENCE

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.acqnet.gov/far/current/html/FARMTOC.html>

<http://www.acqnet.gov/far/current/html/FARMTOC.html>

[Insert one or more Internet addresses]

Clause	Title	Date
52.203-03	Gratuities	April 1984
52.204-04	Printed or Copied Double-Sided on Recycled Paper	August 2000
52.213-02	Invoices	April 1984
52.222-03	Convict Labor	June 2003
52.222-20	Walsh-Healy Public Contracts Act	December 1996
52.222-21	Prohibition of Segregated Facilities	February 1999
52.222-26	Equal Opportunity	April 2002
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	September 2006
52.222-36	Affirmative Action For Workers with Disabilities	June 1998
52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	September 2006
52.222-41	Service Contract Act of 1965, As Amended	July 2005
52.222-43	Fair Labor Standards Act and Service Contract Act - Price Adjustment (Multiple Year and Option Contracts)	November 2006
52.222-48	Exemption from Application of Service Contract Act Provisions-Contractor Certification	June 2006
52.223-05	Pollution Prevention and Right-to-Know Information	August 2003
52.223-06	Drug-Free Workplace	May 2001
52.225-03	Buy American Act - Free Trade Agreements - Israeli Trade Act	November 2006
52.232-01	Payments	April 1984
52.232-08	Discounts for Prompt Payment	February 2002
52.232-25	Prompt Payment	October 2003
52.232-33	Payment by Electronic Funds Transfer-Central Contractor Registration	October 2003
52.233-01	Disputes	July 2002
52.233-03	Protest after Award	August 1996
52.242-15	Stop-Work Order	August 1989
52.243-01	Changes--Fixed Price	August 1987
52.245-02	Government Property (Fixed-Price Contracts)	May 2004
52.246-01	Contractor Inspection Requirements	April 1984
52.247-34	F.o.b. Destination	November 1991
52.249-01	Termination for Convenience of the Government (Fixed-Price) (Short Form)	April 1984
52.249-08	Default (Fixed-Price Supply and Service)	April 1984

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2 52.204-03 TAXPAYER IDENTIFICATION

OCTOBER 1998

(a) Definitions.

"Common parent," as used in this provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member.

"Taxpayer Identification Number (TIN)," as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns. The TIN may be either a Social Security Number or an Employer Identification Number.

(b) All offerors must submit the information required in paragraphs (d) through (f) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the IRS. If the resulting contract is subject to the payment reporting requirements described in Federal Acquisition Regulation (FAR) 4.904, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

(c) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(d) Taxpayer Identification Number (TIN).

TIN: _____.

TIN has been applied for.

TIN is not required because:

Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

Offeror is an agency or instrumentality of a foreign government;

Offeror is an agency or instrumentality of the Federal Government.

(e) Type of organization.

Sole proprietorship;

Partnership;

Corporate entity (not tax-exempt);

Corporate entity (tax-exempt);

Government entity (Federal, State, or local);

Foreign government;

International organization per 26 CFR 1.6049-4;

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[] Other _____.

(f) Common parent.

[] Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

[] Name and TIN of common parent:

Name _____

TIN _____

3 52.207-04 ECONOMIC PURCHASE QUANTITY-SUPPLIES AUGUST 1987

(a) Offerors are invited to state an opinion on whether the quantity(ies) of supplies on which bids, proposals or quotes are requested in this solicitation is (are) economically advantageous to the Government.

(b) Each offeror who believes that acquisitions in different quantities would be more advantageous is invited to recommend an economic purchase quantity. If different quantities are recommended, a total and a unit price must be quoted for applicable items. An economic purchase quantity is that quantity at which a significant price break occurs. If there are significant price breaks at different quantity points, this information is desired as well.

(c) The information requested in this provision is being solicited to avoid acquisitions in disadvantageous quantities and to assist the Government in developing a data base for future acquisitions of these items. However, the Government reserves the right to amend or cancel the solicitation and resolicit with respect to any individual item in the event quotations received and the Government's requirements indicate that different quantities should be acquired.

4 52.219-01 SMALL BUSINESS PROGRAM REPRESENTATIONS MAY 2004

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is _____ [insert NAICS code].

(2) The small business size standard is _____ [insert size standard].

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) Representations. (1) The offeror represents as part of its offer that it [] is, [] is not a small business concern.

(2) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents, for general statistical purposes, that it [] is, [] is not, a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents as part of its offer that it [] is, [] is not a women-owned small business concern.

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(4) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents as part of its offer that it is, is not a veteran-owned small business concern.

(5) [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.] The offeror represents as part of its offer that it is, is not a service-disabled veteran-owned small business concern.

(6) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents, as part of its offer, that—

(i) It is, is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It is, is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (b)(6)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture:_____.] Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(c) Definitions. As used in this provision--

"Service-disabled veteran-owned small business concern"--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR part 121 and the size standard in paragraph (a) of this provision.

"Veteran-owned small business concern" means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern" means a small business concern--

(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(d) Notice. (1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant

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to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall--

- (i) Be punished by imposition of fine, imprisonment, or both;
- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

5 52.252-02 CLAUSES INCORPORATED BY REFERENCE FEBRUARY 1998

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.acqnet.gov/far/current/html/FARMTOC.html>

<http://www.acqnet.gov/far/current/html/FARMTOC.html>

[Insert one or more Internet addresses]

6 MCL.L-2 AGENCY PROTESTS AUGUST 2005

(a) Prior to submission of an agency protest, all parties shall use their best efforts to resolve concerns raised by an interested party at the Contracting Officer level through open and frank discussions. At any time the Contracting Officer and Protestor are encouraged to employ the use of alternative dispute resolution techniques to resolve the protest. When this cannot be accomplished interested parties may submit an agency protest to the Contracting Officer set forth in the Service of Protest provision of this solicitation.

(b) Protests based on alleged apparent improprieties in a solicitation shall be filed before bid opening or the closing date for receipt of proposals. In all other cases, protests shall be filed no later than 10 days after the basis of protest is known or should have been known, whichever is earlier.

(c) Protests shall include the following information. Failure to substantially include any of the following may be grounds for dismissal of the protest.

- (i) Name, address, and fax and telephone numbers of the protester.
- (ii) Solicitation or contract number.
- (iii) Detailed statement of the legal and factual grounds for the protest, to include a description of resulting prejudice to the protester.
- (iv) Copies of relevant documents.
- (v) Request for a ruling by the agency.
- (vi) Statement as to the form of relief requested.
- (vii) All information establishing that the protester is an interested party for the purpose of filing a protest.
- (viii) All information establishing the timeliness of the protest.

(d) Upon receipt and review of the protest to determine that adequate information is contained therein, the Contracting Officer will acknowledge receipt of the protest and inform the protester of the expected decision date. The Contracting Officer shall render a decision on the protest within 30 calendar days or notify the protestor of an extended decision date.

(e) Upon receipt of the Contracting Officer's decision, the protestor may appeal the decision within 15 calendar days of decision receipt. The appeal will result in an independent review of the protest by the Head of the Contracting Activity, the Associate Administrator for Administration. The Head of the Contracting Activity will impartially review the protest as presented, taking into

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consideration all of the available information, and render a decision. To the extent permitted by law and regulation, the Head of the Contracting Activity shall request relevant information from both parties. The Head of the Contracting Activity will render a decision on the appeal within 15 calendar days of receipt. Agency appellate review of the Contracting Officer's decision on the protest will not extend GAO's timeliness requirements. Therefore, any subsequent protest to the GAO must be filed within 10 days of knowledge of initial adverse agency action (4 CFR 21.2(a)(3)).

(f) Upon receipt of a protest, the Contracting Officer shall follow the procedures set forth in the FAR Subpart 33.103 (f) with regard to contract award and continued performance.

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SECTION J -- LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

J.1 PRE-DREDGE SAMPLING

REV 2 DTD 23FEB2006

Jefferson County Waterway and Navigation District
Pre-Dredge Sampling

Pre-Dredge Analysis Requirements

Jefferson County Waterway and Navigation District's pre-dredge testing requires users to perform a preliminary (Tier I) evaluation as described in the USACE/USEPA Inland Testing Manual. Although the Inland Testing Manual is specifically for screening of materials for open water disposal, the Tier I approach should be used as a preliminary screening tool, prior to analytical testing, to make a more informed decision regarding spoil disposal on land-based placement areas. This Tier I screening should be performed prior to embarking on any dredging program. After completion of Tier I historical screening, users shall perform Tier I composite screening consisting of a VOC's, Semi VOC's, and RCRA Metals analysis, to be used as a baseline sample analysis. This sample analysis shall be taken from the dredge materials at 1 composite per 50,000 CY.

Historical Records Research Guidelines

The following excerpt from the Inland Testing Manual describes the historical records research that should be performed:

- Results of prior physical, chemical, and biological tests and monitoring of the material proposed to be disposed.
- Information describing the source of the material to be disposed that could be relevant to the identification of potential contaminants of concern.
- Existing data contained in files of agencies such as EPA or USACE or otherwise available from public or private sources. Examples of sources from which relevant information might be obtained include:
 - o Selected Chemical Spill Listing (EPA)
 - o Pesticide Spill Reporting System (EPA)
 - o Pollution Incident Reporting System (United States Coast Guard)
 - o Identification of In-Place Pollutants and Priorities for Removal (EPA)
 - o Hazardous waste sites and management facilities reports (EPA)
 - o USACE studies of sediment pollution and sediments
 - o Federal STORET, BIOS, CETIS, and ODES databases (EPA)
 - o Water and sediment data on major tributaries (Geological Survey)
 - o NPDES permit records
 - o Agencies with contaminant or related information, for instance, Fish and Wildlife Service (FWS), National Oceanic and Atmospheric Administration (NOAA), regional planning commissions, state resource/survey agencies
 - o CWA 404(b)(1) evaluations
 - o Pertinent and applicable research reports
 - o MPRSA 103 evaluations
 - o Port and marina authorities

REV 2 DTD 23FEB2006

o Colleges/Universities

o Records of State agencies, (e.g., environmental, water survey, transportation, health)

o Superfund sites, hazardous waste sites

o Published scientific literature.

Pre-Dredge Sampling Escalation / De-escalation Guidelines

Tier I research and sampling will help identify any contaminants of concern. If contaminants of concern are identified, limited testing for these contaminants shall be performed to identify whether the dredge material could be expected to be "clean" or not.

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In light of those results, a more informed decision could be made regarding disposal options. It is the sole responsibility of the user to ensure that all sampling meets USACE/USEPA disposal standards.

If the Tier I evaluation indicates no contaminants of concern, and the first two analytical tests show no hits, the testing frequency may be reduced from every 50,000 CY to every 100,000 CY. This reduced frequency may be continued until a time such that the projected ends, or testing at the reduced frequency produces evidence of any contaminants of concern. At that time, testing frequency shall resume at 1 composite per 50,000 CY.

J.2 TEXAS CMP APPLICATION

Galveston USACE Version
Revised: 08-27-04

CONSISTENCY WITH THE TEXAS COASTAL MANAGEMENT PROGRAM

The applicant should sign this statement and return with application packet to:

U.S. Army Corps of Engineers (USACE)
Regulatory Branch
P.O. Box 1229
Galveston, TX 77553-1229
Fax: (409) 766-3931

Applicant's Name and Address (please print):

The Texas Coastal Management Program (CMP) coordinates state, local, and federal programs for the management of Texas coastal resources. Activities within the CMP boundary must comply with the enforceable policies of the Texas Coastal Management Program and be conducted in a manner consistent with those policies. The boundary definition and policies are contained in the CMP rules (31 TAC §503.1 and §501.14, respectively). To determine whether your proposed activity lies within the CMP boundary, please see <http://www.glo.state.tx.us/coastalpermits/locator.html>. To determine whether your proposed activity meets the CMP consistency requirements, please see the applicable policies at <http://www.glo.state.tx.us/coastal/cccrules.html>.

The proposed activity must not adversely affect coastal natural resource areas (CNRAs). CNRAs include: coastal barriers, coastal historic areas, coastal preserves, coastal shore areas, coastal wetlands, critical dune areas, critical erosion areas, gulf beaches, hard substrate reefs, oyster reefs, special hazard areas, submerged lands, submerged aquatic vegetation, tidal sand or mud flats, waters of the open Gulf of Mexico, and waters under tidal influence. These are more fully described at 31 TAC §501.3(b), available at <http://www.glo.state.tx.us/coastal/cccrules.html>. Tools for locating CNRAs may be found at <http://www.glo.state.tx.us/gisdata/gisdata.html>. The Coastal Management Program Permit Service Center is available to answer questions regarding compliance with the CMP policies.

The applicant affirms that the proposed activity, its associated facilities, and their probable effects comply with the relevant enforceable policies of the Texas Coastal Management Program (see 31 TAC §501.14), and that the proposed activity will be conducted in a manner consistent with such policies for the following reasons (use additional pages if necessary):

Date: _____

Signature: _____

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Any questions regarding the Texas Coastal Management Program should be referred to:

Jesse Solis
Permitting Assistance Coordinator
6300 Ocean Drive
TAMU-CC Natural Resource Center Ste. 2800
Corpus Christi, Texas 78412-5599
Phone: (361) 825-3050
Fax: (361) 825-3465
Toll Free: 1-866-894-3578
permitting.assistance@glo.state.tx.us

Tammy Brooks
Texas General Land Office
Coastal Resources Division
1700 North Congress Avenue, Room 620
Austin, Texas 78701-1495
Phone: (512) 463-9212
Fax: (512) 475-0680
Toll Free: 1-800-998-4GLO
tammy.brooks@glo.state.tx.us

For USACE use:
Permit #:
Project Mgr.