

Ipswich Conservation Commission Mandatory Pre-Filing Checklist for an NOI, ANOI and ANRAD

Filings must be complete, in compliance with the following checklist, or your project filing will not be accepted. Every blank below must be either initialed, indicating compliance, or designated as “N/A,” if not applicable. *Ipswich Wetlands Protection Bylaw and Regulations and Ipswich Stormwater Bylaw and Regulations* are available at the Town Clerk’s Office or online at <http://www.town.ipswich.ma.us>

GENERAL REQUIREMENTS

___ Applicable sections of all forms are completed. We understand that incomplete or deficient information may cause delays in the hearing.

___ All forms are dated and contain contact names, addresses and telephone numbers, in addition to the proper project address. For the applicant, we understand that this must include having a **valid telephone number** for the legal advertisement bill. All information must be legible.

___ We understand that this filing requires the issuance of a Department of Environmental Protection (DEP) file number before any decision may be finalized by the Commission. Failure to file the project materials with DEP will result in no number issuing, which will cause delays.

___ If this matter is not decided for any reason in the first session it is heard, and if any new information is required, or revisions to project plans required, the deadline for submission of any and all subsequent materials in this matter is 2:00pm on the Wednesday before the meeting date to which this matter was continued. All supplemental materials must comply with the Required Number of Copies section below, including one additional complete set of same submitted to DEP-Northeast Regional Office (NERO) on or before that date of submittal to the Commission.

MANDATORY SETBACKS

___ If proposing **any activity in the No-Disturbance Zone**, we have submitted a separate written request for a variance of sufficient scope and content to establish a hardship. We have also submitted a proposed mitigation plan. The proposed impact and the mitigation areas are both shown on the plan. The mitigation area ratio is a *minimum* of 1.5 (new) to 1.0 for areas disturbed, if approved.

___ If proposing **any structural activity (any impervious surface, gravel, rip-rap, paving, etc. is considered a structure) in the No-Build Zone**, we have submitted a separate written request for variance of sufficient scope to establish a hardship in full compliance with the requirements of the Bylaw. We have also submitted a proposed mitigation plan. The proposed impact and the mitigation areas are both shown on the plan. The mitigation area ratio is a *minimum* of 1.5 (new) to 1.0 for areas disturbed, if approved.

STORMWATER MANAGEMENT:

___ If the project is subject to Massachusetts Stormwater Management requirements, a “Checklist for Stormwater Report”, stamped by a professional engineer, has been submitted with this filing.

___ If this project proposes land disturbances greater than 10,000 sq.ft. or 50% of the lot, whichever is less, the project is subject to Section VI.F of the Ipswich Wetland Protection Bylaw regulations, which requires compliance with state Stormwater Management requirements. “Land Disturbance” includes soil removal, grading and filling, deforestation and clearance of other existing vegetation.

Ipswich Conservation Commission

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REQUIRED PLANS:

____ We have included a Locus map showing the location of the project site, with the site circled or otherwise identified.

____ We have included engineered plans are included which show all proposed work, two-foot contours, all resources delineated, all applicable State and Bylaw buffer zones shown, and restrictive Bylaw subzones for No Disturb and No Build Zones. *Per 310 CMR 10.05(4)(h), "The issuing authority (ICC) may require that supporting plans and calculations be prepared and stamped by a registered professional engineer (PE) when, in its judgment, the complexity of the proposed work warrants this professional certification. The issuing authority may also require the preparation of supporting materials by other professionals including, but not limited to, registered landscape architect, registered land surveyor, environmental scientist, geologist or hydrologist when in its judgment the complexity of the proposed work warrants the relevant specialized expertise."*

____ If there is no large or deep excavation, and no mitigation requirement, we have included a sketch showing proposed work, and distances to wetland area(s), and requested a waiver of the requirements for engineered plans.

ABUTTER NOTIFICATION:

____ We have created an list of **all abutters for all properties within 100 feet** in any direction of the project property lines (including across paper or real streets, easements, adjoining waterbodies, etc.) and had that list certified by the Ipswich Assessor's Office.

____ We have notified all the abutters by certified mail on or before the date of filing this project with the Commission. **Proof of this notification must be submitted at the first public hearing.** Failure to notify abutters in advance will constitute valid cause for the Commission to continue this matter to a future session.

____ In lieu of the above, this project proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, and the applicant has provided notification to Abutters whose Lot is within one hundred feet from the Project Site; OR

____ the project is a Linear-shaped project greater than 1,000 feet in length, and notification is provided to Abutters whose Lot is within 1,000 feet from the Project Site.

FEES AND OTHER COSTS:

____ All fees required under **both state and local law** are enclosed. **If a delineation of resources is part of the project for an NOI or ANOI, we have included payment under the local law for review of the resource boundaries.** Fees are not refundable, including for voluntary project withdrawal. Miscalculation of fees or failure to pay fees will result in the filing being deemed incomplete.

____ We understand that this filing requires published public advertisement/legal notices which the Commission will prepare and submit to the newspaper, but which are billed directly to the applicant based upon their telephone number and that **we agree to pay that fee.** Failure or refusal to pay that fee will constitute an incomplete filing and the matter will not advance until the fees are paid in full.

**Ipswich Conservation Commission
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AUTHORIZATION:

_____ **If this document is not filled out by the applicant**, then any consultant or contractor or other representative so completing and submitting it hereby state(s) that they have full and complete knowledge and authority to make all the representations herein, that they agree to immediately notify the applicant of all aspects of this matter not decided by the applicant, and that the applicant has so authorized them to make those decisions on the applicant's behalf.

MEETING DATE

_____ We understand that this matter, if submitted in complete form, will normally be agendaed for the first meeting following our submittal of materials. The applicant or their duly-authorized representative **agrees to appear at the meeting in person.**

_____ If, due to early deadlines related to the required legal advertisement, the matter cannot be heard within the required 21-day period, we agree to sign a waiver of the 21-day requirement for a hearing, and be present at the next regularly-scheduled public hearing.

REQUIRED NUMBER OF COPIES:

_____ We have signed and dated the original of this form, and submitted to the Conservation Office:

- **An original copy of all 8½" by 11" documents** (e.g., NOI, etc.) **AND**
- **An original plus 1 copy of documents larger than 8½" by 11"** at actual scale (e.g. plans).

_____ **In addition**, we have submitted via email to Brendan@ipswichma.gov and Janetr@ipswichma.gov **an electronic set of all documents and plans**, as required by the Ipswich Wetland Protection Bylaw. NOTE: *A DVD may be submitted to the Conservation Office to meet this requirement.* If you require assistance with creating an electronic copy, contact the Conservation Office.

_____ We have sent a copy of the **state Fee Form** and **state's portion of the state fee** to **Department of Environmental Protection at P.O. Box 4062, Boston, MA 02211.**

_____ We have submitted **one full set of all documents and plans except this checklist to the DEP-Northeast Regional Office (NERO) at 205B Lowell Street, Wilmington, MA 01887** on or before this submission to the Commission.

We have reviewed and completed this form on _____ day of _____, 20__.

We are the (circle all that apply): applicant // site owner // consultant

Sign here: _____

Print here: _____



Instructions for Completing Application Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Please read these instructions before completing the Abbreviated Notice of Resource Area Delineation application form (WPA Form 4A) for more information on certain items that are not self-explanatory.

Introduction

The Abbreviated Notice of Resource Area Delineation, WPA Form 4A, (ANRAD) provides a procedure for an applicant to confirm the delineation of a Bordering Vegetated Wetlands (BVW). If an ANRAD is filed for a BVW delineation, confirmation of other resource areas may also be requested provided the other resource area boundaries are identified on the plans which accompany the BVW boundary delineation.

The filing of an Abbreviated Notice of Resource Area Delineation is optional. However, any work within an area subject to the jurisdiction of the Wetlands Protection Act may not proceed until either a Negative Determination of Applicability or a final Order of Conditions has been issued by the Conservation Commission or the Department of Environmental Protection. If an applicant is uncertain as to whether the Wetlands Protection Act applies to a particular area of land or to specific work planned on a particular area of land, he or she may file a Request for Determination of Applicability, RDA, (WPA Form 1) instead of WPA Form 4A. Also, an applicant may file a Notice of Intent, NOI, (WPA Form 3) or, in limited circumstances, an Abbreviated Notice of Intent (WPA Form 4) and, as part of that permitting process, seek confirmation from the Conservation Commission of delineated wetland resource area boundaries.

The applicant is responsible for providing the information required for the review of this application to the issuing authority (Conservation Commission or the Department of Environmental Protection). The submittal of a complete and accurate description of the site will minimize requests for additional information by the issuing authority which may result in an unnecessary delay in the issuance of an Order of Resource Area Delineation.

To complete this form, the applicant should refer to the Wetlands Protection Act regulations (310 CMR 10.00) which can be obtained from the Department's web site at www.mass.gov/dep. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers. Regulations also are available for sale from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378).

Completing WPA Form 4A

Section A: General Information

Item 1. Project Location. Include a street address (if one exists), the latitude and longitude of the site and, if known, the Assessors map or plat number, the parcel number, and the lot number. If the lot subject to the Abbreviated Notice of Resource Area Delineation does not contain a structure with a numbered street address or the lot is being subdivided, the map or plat, parcel, and lot numbers must be included.

Section B: Area(s) Delineated

Item 1. Bordering Vegetated Wetlands (BVW). Indicate the length of the delineated BVW boundary.

Item 2. Method of Determination. Use one of the methods indicated in Item 2 to determine the boundaries of BVW. On the form, check all the methods that are used to determine the boundary. These methods are discussed in the wetlands regulations at 310 CMR 10.55(2)(c). When undertaking BVW delineations, whether by vegetation alone or by vegetation and other indicators of wetland hydrology, applicants are encouraged to use the Department's BVW Handbook: *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (1995). This document is available on the web at: <http://www.mass.gov/eea/docs/dep/water/laws/a-thru-h/bvwmanua.pdf> or for purchase from the State



Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)

House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378). The Department encourages applicants to complete the BVW Field Data Form contained in the handbook and submit it with the Abbreviated Notice of Resource Area Delineation. If detailed vegetative assessments are not required for a particular site, the reasons should be noted on the Field Data Form.

Item 3. Other Resource Areas. Applicants may use WPA Form 4A to confirm the boundaries of other resource areas when delineated in addition to the BVW. To determine boundaries of other wetland resource areas (including the Riverfront Area), consult the wetland regulations, subsection (2), "Definitions, Critical Characteristics, and Boundaries" for each resource area covered under 310 CMR 10.54 - 10.58.

Section C: Additional Information

All listed information must be provided along with the Abbreviated Notice of Resource Area Delineation application. ANRAD applications seeking to delineate a wetland resource area boundary are required to include Resource Area Delineation Plans. Such plans should include an appropriate scale to depict all resource area boundaries for which boundary confirmation is being sought.

Plans specifications: All plans should be of adequate size, scale, and detail to completely and accurately describe the site and the resource area boundaries. The following guidelines are provided to encourage uniformity.

Sheet Size:

- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed site and/or proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act

Scale:

- Not more than 1" = 50'
- If plans are displayed, include graphical scales

Title Block:

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- Include original date plus additional space to reference the title and dates of revised plans

Section D: Fees

There is an application fee for the Abbreviated Notice of Resource Area Delineation. The delineation fee for each resource area equals \$2 per linear foot. The maximum fee for activities with a single family house is \$200 and the maximum fee for any other activity is \$2,000. The city/town share of the fee is the first \$25 plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

Complete pages 1 and 2 of the ANRAD Wetland Fee Transmittal Form and send them, along with a check for the state share of the filing fee, payable to the *Commonwealth of Massachusetts*, to MassDEP, Box 4062, Boston, MA 02211. Review of the Abbreviated Notice of Resource Area Delineation cannot begin until the fee is received.

No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.



Massachusetts Department of Environmental Protection

Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)

In addition, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Please contact your Conservation Commission regarding the procedure for public newspaper notice.

Section E: Signatures and Certification Requirements

The property owner (if different from the applicant) and the applicant's representative (if any) must sign the Abbreviated Notice of Resource Area Delineation. A signature serves to certify that accompanying plans, documents, and supporting data are true and complete.

Two copies of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

One copy of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a *copy* of the state fee check must be sent to the appropriate MassDEP Regional Office by certified mail or hand delivery. The Department copies must be sent at the same time as the application submission to the Conservation Commission. Failure by the applicant to send copies in a timely manner may result in dismissal of the Abbreviated Notice of Resource Area Delineation.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

 a. Street Address

 b. City/Town

 c. Zip Code

Latitude and Longitude:

 d. Latitude

 e. Longitude

 f. Assessors Map/Plat Number

 g. Parcel /Lot Number

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



2. Applicant:

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

3. Property owner (if different from applicant):

Check if more than one owner (attach additional sheet with names and contact information)

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

4. Representative (if any):

 a. Contact Person First Name

 b. Contact Person Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

5. Total WPA Fee Paid (from attached ANRAD Wetland Fee Transmittal Form):

 a. Total Fee Paid

 b. State Fee Paid

 c. City/Town Fee Paid

Fees will be calculated for online users.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
 Resource Area Delineation**
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 City/Town

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

 1. Signature of Applicant

 2. Date

 3. Signature of Property Owner (if different)

 4. Date

 5. Signature of Representative (if any)

 6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
ANRAD Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address	b. City/Town
c. Fee amount	d. Check number

2. Applicant:

a. First Name	b. Last Name	c. Company
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number		

3. Property Owner (if different):

a. First Name	b. Last Name	c. Company
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number		

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/> single family house project	a. feet of BVW	x \$2.00 =	b. Fee for BVW
2. <input type="checkbox"/> all other projects	a. feet of BVW	x \$2.00 =	b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. <input type="checkbox"/> single family house project	a. linear feet	x \$2.00 =	b. Fee
4. <input type="checkbox"/> all other projects	a. linear feet	x \$2.00 =	b. Fee

Total Fee for all Resource Areas: _____ Fee

State share of filing fee: _____ 5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee: _____ 6. 1/2 of total fee **plus** \$12.50

Online users: check box if fee exempt.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

ANRAD Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

APPENDIX A

TOWN OF IPSWICH WETLANDS PROTECTION BY-LAW PROCESSING FEE CALCULATION WORKSHEET (Effective January 17, 2018) IMPORTANT: BYLAW FEES ARE IN ADDITION TO WPA FEES

(Submit this form with application with payment check made payable to Town of Ipswich)

- 1. A flat fee of \$30.00 for an **Small Project Permit** \$ _____
- 2. A fee for the following applications: (check off appropriate item)
 - _____ **Request for Determination of Applicability (RDA)** \$75.00 ea. \$ _____
 - _____ **Request for Certificate of Compliance (COC) if Order is unexpired** \$100.00 ea. \$ _____
 - _____ **Request for COC if Order is expired** \$200.00 ea. \$ _____
 - _____ **Request for Extension of Order** \$60.00 ea. \$ _____

- 3. The following schedule applies for **Notice of Intent** and **Abbreviated Notice of Resource Areas Delineation** categories at 310 CMR 10.03(7) (c), as follow:

	<u>No.</u>	x		=	<u>Total</u>
Category 1.	\$75.00 per activity	x	_____	=	\$ _____
Category 2.	\$300.00 per activity	x	_____	=	\$ _____
Category 3.	\$650.00 per activity	x	_____	=	\$ _____
Category 4.	\$950.00 per activity	x	_____	=	\$ _____
Category 5. (Not less than \$50.00 or more than \$1,000.00)	\$2.00/L.F.	x	_____ L.F.	=	\$ _____
Total: \$					_____

- 4. **Formal Amendment** to an existing Order (requires a public hearing):
 Equal to original filing fee/per each activity \$ _____

- 5. **Minor Modification** to an existing Order (does not require a public hearing), *check appropriate item(s)*:
 - _____ First Request - Equal to 25% of original filing fee or \$30.00, whichever is greater \$ _____
 - _____ Second Request - Equal to 50% of original filing fee \$ _____
 - _____ Third and Subsequent Requests-Equal to original filing fee \$ _____

Total: \$ _____

- 6. Application for review of resource area delineation: \$1.00/Linear Foot (LF) of not less than \$50.00 or more than \$200.00 for single family house projects; not less than \$50.00 or more than \$2000.00 for any other activity. This fee will be in addition to the fee for an RDA or NOI listed above.
 Type of activity: _____ \$1.00/LF x LF = \$ _____

- 7. Fees for projects within the Riverfront Area and another resource area shall be 150% of the above (check off appropriate item)
 - _____ RDA: \$ 75.00 x 150% = \$ _____
 - _____ NOI (Total from Paragraph #3 above): \$ _____ x 150% = \$ _____

- 8. Late filing penalty fees: In the event of a violation finding by the Commission in which a filing is required after-the-fact, the local Wetlands By-Law fee for that late filing will be three times the normal fee(s) for the activities, applicable per the above schedule, including delineation fees.
 Regular Processing Fee: \$ _____ x 3 (penalty) = \$ _____

Name/project address of Applicant: _____

DEP or ICC File No. _____ **(if applicable).** **TOTAL BYLAW FEE SUBMITTED \$** _____

Revised January 17, 2018