



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
October 04, 2022 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage

II. ROLL CALL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Justin Smith ____ John Welch ____

III. OPENING PRAYER: Father Michael Schemm

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. DETERMINE AGENDA ADDITIONS

VI. CONSENT AGENDA

A. Approval of Minutes of the September 20, 2022 City Council meeting.

B. Accept Petitions for Sanitary Sewer, Water, Paving & Storm Improvements to serve Elk Creek 3rd.

C. Approve Resolutions Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving And Storm Drainage, Sanitary Sewer, and Water Distribution System Improvements / Elk Creek 3rd Addition).

D. Accept a Petition for Paving Improvements to serve Skyview 2nd Phase 2.

E. A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Skyview At Block 49 2nd Addition - Phase 2).

Action: Motion to (approve / table / deny) the Consent Agenda as (listed / amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

- A. Consideration of Approval of Appropriations Ordinance 22-18 in the amount of \$553,602.92.**

Action: Motion to (approve / deny / table) Appropriation Ordinance 22-18.

Motion _____ Second _____ Vote _____

VIII. CITY REQUESTED APPEARANCES

- IX. CITIZEN CONCERNS:** *If you wish to speak, please fill out a "Request to Speak" card at the podium and give it to the City Clerk before the meeting begins. When you are called on by the Mayor, please go to the podium, speak into the microphone, and state your name and address before giving your comments. Please limit your comments to 3 minutes in the interest of time. If more time is needed, you may request an extension from the Mayor.*

X. REPORTS

- A. Council Member Reports**
- B. Mayor's Report**
- C. City Attorney Report**
- D. City Manager Report**

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration of purchasing a wetland mitigation offset for the Cedar Pass Subdivision.**

Action: Motion to (accept / deny / table) the quote from the Sunflower Land Trust in the amount of \$23,000.00 for a wetland mitigation offset for the Cedar Pass Subdivision and authorize the Mayor to sign all related documents.

Motion _____ Second _____ Vote _____

XII. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussion the subject of: (_____), pursuant to the KSA 75-4319 exception for: (_____). Invite the City Manager and the City Attorney. The meeting will be for a period of (__) minutes, and the open meeting will resume in City Council Chambers at (_____) PM.

Motion _____ Second _____ Vote _____

XIII. DISCUSSION AND FUTURE ISSUES

Monthly Workshop – October 11th at 6:30 pm?

XIV. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments

A. **Staff Report - Notification Procedures, PUD-22-01**

B. **Manager's Report - October 4, 2022**

Notice

It is possible that sometime between 6:30 and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Cox Cable Channel 7 rebroadcasts of this meeting are scheduled daily or can be streamed on YouTube and at www.belaireks.gov. Please make sure all cell phones and other electronics are turned off and put away.



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
September 20, 2022 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present were Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch.

Also present were Assistant City Manager/Director of Finance Ted Henry and City Attorney Jacqueline Kelly and City Clerk Melissa Krehbiel.

III. OPENING PRAYER: Mark Posson provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS: There were no additions.

VI. CONSENT AGENDA

A. Approval of Minutes of the September 7, 2022 City Council meeting.

B. Approval of Minutes of the September 13, 2022 Special City Council Meeting

MOTION: Councilmember Davied moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance 22-17 in the amount of \$360,775.89.

MOTION: Councilmember Hamburg to approve Appropriations Ordinance 22-17. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES

A. 2021 Audit Presentation- Tara Laughlin from Allen, Gibbs & Houlik

Ms. Laughlin presented the findings of the audit for fiscal year 2021 and stood for questions from the Council.

IX. CITIZEN CONCERNS

Gary Jantz, 6200 E 45th St N, spoke in opposition to the Arthur Heights PUD Amendment. He is concerned about fire protection and the number of units proposed for the lot. He cited the City's zoning regulations and stated that the PUD zoning standards are extreme and will have negative impacts to the surrounding property owners.

Carol Russell, 6218 E 45th St N, stated that she lives on the property adjacent to the Arthur Heights PUD. She said that the proposed complex will not blend into the adjacent neighborhood, the plans have inadequate drainage. She believes the design would work better on a corner lot with adequate access to drainage. She is concerned that the ratio of police officers to residents will be inadequate if the proposed units are built.

Dan Bleam, 4630 N Hillcrest, stated that he has lived in the Arthur Heights neighborhood for about 60 years and he is not in favor of building the units. He questioned whether he had received appropriate notice of meetings to discuss this topic; he stated he only received one notice for a Planning Commission meeting. If a commercial entity were to go there, he would expect little activity at night.

Rebecca Armstrong, 4306 N Rushwood Circle, spoke to the Commission about her concerns about climate change and development in Bel Aire. She is concerned about the way construction rips up all the soil and trees. The fertilizer used on lawns and parks in Bel Aire causes algae blooms which are poisonous to humans, dogs and fish. She encouraged the community to do better planning to include open spaces, sidewalks, crosswalks and parks.

X. REPORTS

A. Council Member Reports

Councilmember Hamburg briefly reported on the latest meeting of the Bel Aire Lions Club. She reminded citizens that the City-Wide Cleanup will be October 1st; details can be found on the City's website.

Councilmember Dehn reported the next Bel Aire Chamber of Commerce meeting will be held at the Community Room at City Hall on October 5th. Also, the Bel Aire Police Department will host a fishing clinic on October 8th.

B. Mayor's Report

Mayor Benage briefly reported on several recent meetings: a special meeting with CCUA and KDHE, a focus group sponsored by Southern Star pipeline, interviews for the K-254 Corridor Plan Consultant, and regular meetings of the Sedgwick County Association of Cities, the Bel Aire Utility Advisory Committee, and the Wichita Area Municipal Planning Organization's (WAMPO) Transportation Policy Board.

Regarding upcoming events, McConnell Air Force Base will hold an air show and open house this weekend. Coffee with the Mayor will be held on October 22nd at 10:00 am at Los Cunados restaurant.

He encouraged citizens to support businesses on Woodlawn during the construction.

C. City Attorney Report

City Attorney Jacqueline Kelly briefly reported on the background regarding the Arthur Heights Planned Unit Development (PUD) which is on the agenda tonight, and notification procedures.

D. City Manager Report

Assistant City Manager Ted Henry reported on upcoming events:

- The Police Department will host a fishing clinic at the Central Park ponds on October 8th.
- Fall Fest will be held at the Rec Center on October 15th.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS**A. Consideration of an Amendment to the Arthur Heights Planned Unit Development (PUD -22-01).**

Ken Lee, Garver, spoke on behalf of the applicant, and stood for questions from the Council. Applicant Russ Relph also spoke to the Council and answered their questions.

The Council discussed drainage, parking, the density of the proposed R-6 zoning, access to 45th Street, and the character of the neighborhood.

MOTION: Mayor Benage moved to deny the Arthur Heights PUD Amendment recommended by the Planning Commission, citing the character of the neighborhood, the zoning uses of nearby properties, the suitability of the property for the use to which it is restricted, and the extent to which the change will detrimentally affect nearby properties. Councilmember Hamburg seconded the motion.

Rollcall Vote:

Jim Benage - Aye Greg Davied- Nay Tyler Dehn - Aye
Emily Hamburg - Aye Justin Smith - Aye John Welch - Aye

Motion carried 5-1, with Councilmember Davied voting against the motion.

B. Consideration of A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas (Fee Schedule 2023).

MOTION: Councilmember Smith moved to approve A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

XII. EXECUTIVE SESSION

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of: the performance plan for non-elected personnel, pursuant to the KSA 75-4319 exception for: non-elected personnel matters. The meeting will be for a period of 10 minutes, and the open meeting will resume in City Council Chambers at 8:41 PM. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 8:41 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

MOTION: Councilmember Smith moved to go into recess for 5 minutes. Councilmember Davied seconded the motion. *Motion carried 5-0.*

The meeting was in recess from 8:41 p.m. to 8:46 p.m. At 8:46 pm, Mayor Benage called the meeting back to order in open session.

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of attorney-client consultation regarding contract negotiations, pursuant to the KSA 75-4319 exception for: attorney-client privilege. Invite in the Assistant City Manager and the City Attorney. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:01 PM. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

The Council then held an executive session. At 9:01 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

MOTION: Councilmember Smith moved to extend the executive session for an additional 15 minutes, with the open meeting resuming in Council Chambers at 9:17 pm. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

The Council then returned to executive session. At 9:18 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

XIII. DISCUSSION AND FUTURE ISSUES: The Council briefly discussed the Woodlawn construction project schedule. No action was taken.

XIV. ADJOURNMENT

MOTION: Councilmember Davied moved to adjourn. Councilmember Smith seconded the motion. *Motion carried 5-0.*

CERTIFICATE OF PETITION

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

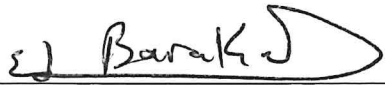
We, Barakeh Property, LLC, a Kansas limited liability company, do hereby certify that petitions(s) for the following improvements have been submitted to the City Council of the City of Bel Aire, Kansas:

1. Sanitary Sewer Improvements
2. Water Improvements
3. Paving and Storm Improvements

As a result of the above-mentioned petition(s) for improvements, all lots or portions thereof within the Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas, may be subject to special assessments assessed thereto for the cost of constructing the above described improvements.

Signed this 2nd day of Sept, 2022.

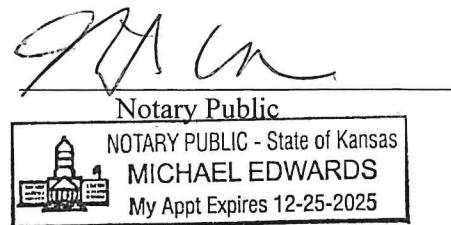
Barakeh Property, LLC, a Kansas limited liability company.

By: 
Emad Barakeh, Member, Barakeh Property, LLC
A Kansas limited Liability Company

BE IT REMEMBERED, that on this 2nd day of September, 2022, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Emad Barakeh, Member, Barakeh Property, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said limited partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

(My Commission Expires : 12-25-2025)



**PETITION
WATER DISTRIBUTION SYSTEM – ELK CREEK 3RD**

TO: The Mayor and City Council (the “Governing Body”)
City of Bel Aire, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Bel Aire, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are **\$44,830**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$6,421** for a total of **\$51,251**, exclusive of interest on financing and administrative and financing costs. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

ELK CREEK 3RD
Lots 1 – 3, Block A
Lots 1 – 7, Block B

(d) The proposed method of assessment is: **equally per lot (10 lots).**

In the event all or part of the lots or parcels in the proposed improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City of Bel Aire.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.


(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
BARAKEH PROPERTY, LLC, A KANSAS LIMITED LIABILITY COMPANY By: <u></u> Emad Barakeh, Member		ELK CREEK 3RD Lots 1 – 3, Block A Lots 1 – 7, Block B

THIS PETITION was filed in my office on _____; and was examined, considered and found sufficient by the Governing Body on _____.

City Clerk

**PETITION
SANITARY SEWER – ELK CREEK 3RD**

TO: The Mayor and City Council (the “Governing Body”)
City of Bel Aire, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Bel Aire, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are **\$86,310**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$9,048** for a total of **\$95,358**, exclusive of interest on financing and administrative and financing costs; said estimated amount. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

ELK CREEK 3RD
Lots 1 – 3, Block A
Lots 1 – 7, Block B

(d) The proposed method of assessment is: **equally per lot (10 lots).**

In the event all or part of the lots or parcels in the proposed improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City of Bel Aire.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

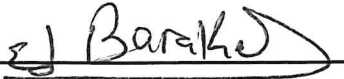
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
BARAKEH PROPERTY, LLC, KANSAS LIMITED LIABILITY COMPANY By: <u></u> Emad Barakeh, Member		ELK CREEK 3RD Lots 1-3, Block A Lots 1-7, Block B

THIS PETITION was filed in my office on _____; and was examined, considered and found sufficient by the Governing Body on _____.

City Clerk

**PETITION
PAVING & STORM IMPROVEMENTS – ELK CREEK 3RD**

TO: The Mayor and City Council (the “Governing Body”)
City of Bel Aire, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Bel Aire, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of pavement on Old Mill Court, with drainage to be installed where necessary.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are **\$312,165**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$ 0** for a total of **\$312,165**, exclusive of interest on financing and administrative and financing costs. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

ELK CREEK 3RD
Lots 1 – 3, Block A
Lots 1 – 7, Block B

(d) The proposed method of assessment is: **equally per lot (10 lots).**

In the event all or part of the lots or parcels in the proposed improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City of Bel Aire.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
BARAKEH PROPERTY, LLC, A KANSAS LIMITED LIABILITY COMPANY By: <u>Emad Barakeh</u> Emad Barakeh, Member		ELK CREEK 3RD Lots 1 – 3, Block A Lots 1 – 7, Block B

THIS PETITION was filed in my office on _____; and was examined, considered and found sufficient by the Governing Body on _____.

City Clerk

**PRELIMINARY COST ESTIMATE
WATER DISTRIBUTION SYSTEM - ELK CREEK 3RD**

(10 Lots)

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
Site Clearing & Restoration	1	LS	\$ 3,000.00	\$ 3,000.00
Connect to Existing WL	1	ea	\$ 2,500.00	\$ 2,500.00
Pipe, WL 8"	580	LF	\$ 40.00	\$ 23,200.00
Valve Assembly, 8" Gate	1	ea	\$ 1,500.00	\$ 1,500.00
Valve Assembly, Blowoff	2	ea	\$ 1,500.00	\$ 3,000.00
			SUBTOTAL	\$ 33,200.00

CONSTRUCTION COST	\$ 33,200.00
ENGINEERING, BONDING, ADMIN., ETC. (35%)	\$ 11,620.00
GRAND TOTAL	\$ 44,820.00

**PRELIMINARY COST ESTIMATE
SANITARY SEWER - ELK CREEK 3RD**

(10 Lots)

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
Site Clearing & Restoration	1	LS	\$ 3,000.00	\$ 3,000.00
Core Drill into Existing Manhole	1	ea	\$ 2,500.00	\$ 2,500.00
MH, Standard SS (4')	4	ea	\$ 4,500.00	\$ 18,000.00
Pipe, SS 8"	770	LF	\$ 45.00	\$ 34,650.00
Flowable Fill	42	LF	\$ 90.00	\$ 3,780.00
Riser Assembly, Cleanout	1	ea	\$ 2,000.00	\$ 2,000.00
			SUBTOTAL	\$ 63,930.00

CONSTRUCTION COST	\$ 63,930.00
ENGINEERING, BONDING, ADMIN., ETC. (35%)	\$ 22,375.50
GRAND TOTAL	\$ 86,305.50

**PRELIMINARY COST ESTIMATE
PAVING & STORM - ELK CREEK 3RD**

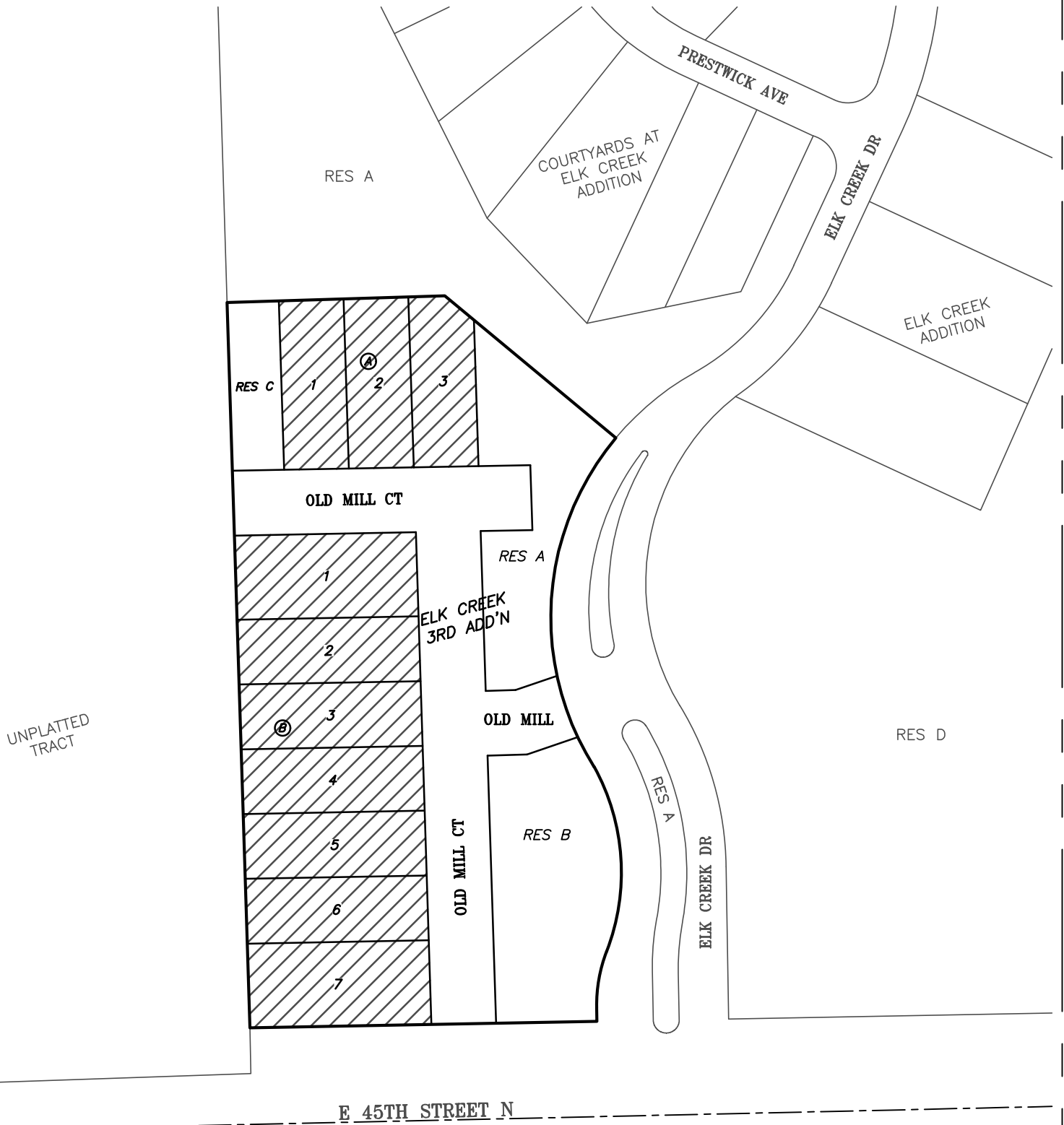
(10 Lots)

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
Site Clearing & Restoration	1	LS	\$ 20,000.00	\$ 20,000.00
Erosion Control & Seeding	1	LS	\$ 5,000.00	\$ 5,000.00
Earthwork	1	LS	\$ 2,000.00	\$ 2,000.00
Concrete Pavement (6")	2,364	SY	\$ 50.00	\$ 118,200.00
Concrete C&G, Type 2	1,450	LF	\$ 12.00	\$ 17,400.00
Crushed Rock Base, 5" Reinf.	2,615	SY	\$ 10.00	\$ 26,150.00
Flowable Fill	34	LF	\$ 50.00	\$ 1,700.00
Graded Drive Inlets	3	ea	\$ 4,000.00	\$ 12,000.00
Pipe, End Section 24"	7	ea	\$ 750.00	\$ 5,250.00
Pipe, SWS 12"	60	LF	\$ 45.00	\$ 2,700.00
Pipe, SWS 15"	28	LF	\$ 50.00	\$ 1,400.00
Pipe, SWS 18"	86	LF	\$ 55.00	\$ 4,730.00
Pipe, SWS 24"	80	LF	\$ 60.00	\$ 4,800.00
Rip-Rap, Light Stone	84	SY	\$ 100.00	\$ 8,400.00
Signing	1	LS	\$ 1,500.00	\$ 1,500.00
			SUBTOTAL	\$ 231,230.00

CONSTRUCTION COST	\$ 231,230.00
ENGINEERING, BONDING, ADMIN., ETC. (35%)	\$ 80,930.50
GRAND TOTAL	\$ 312,160.50

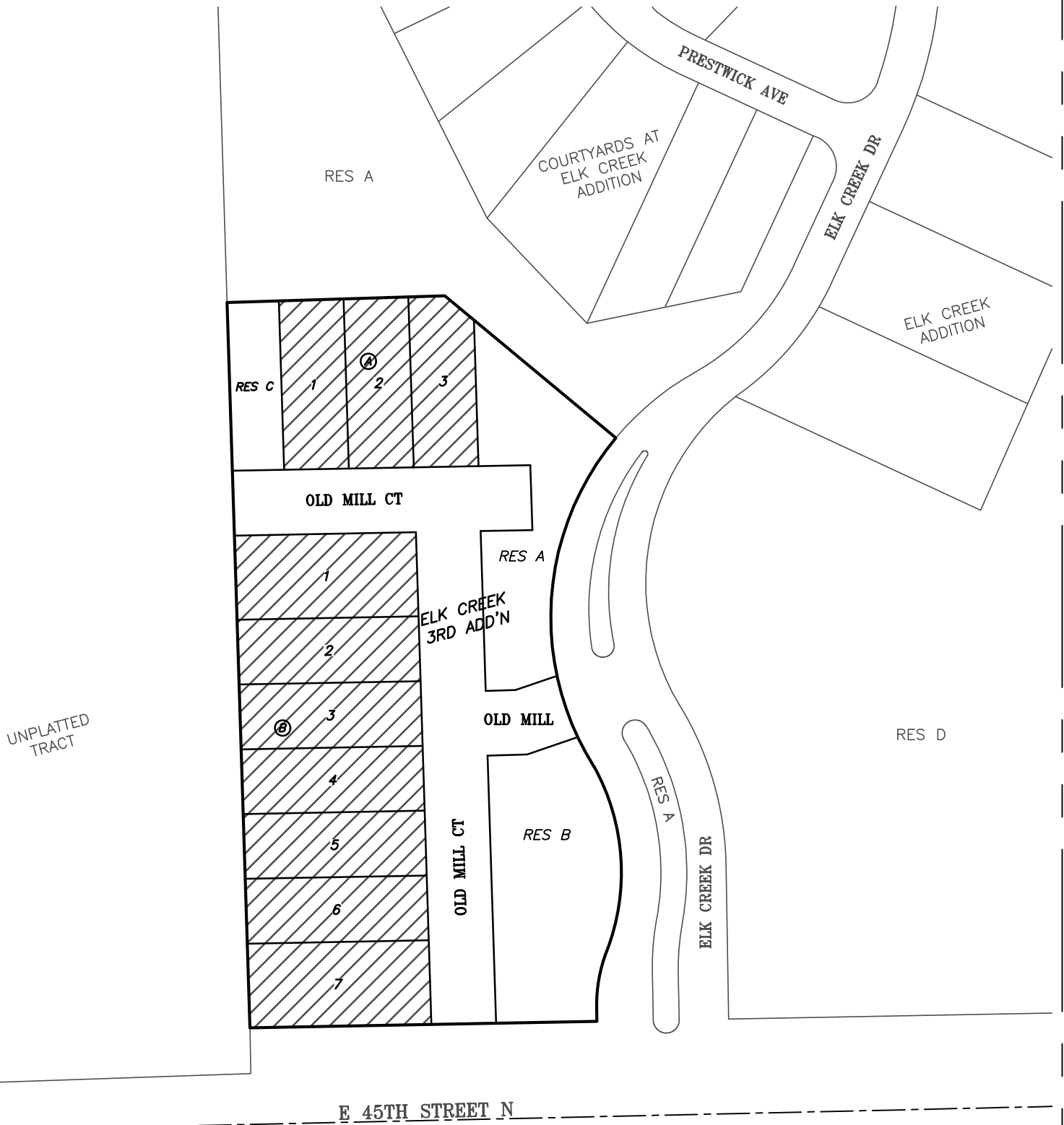
Improvement District Elk Creek 3rd Addition Sanitary Sewer

Section VI, Item B.



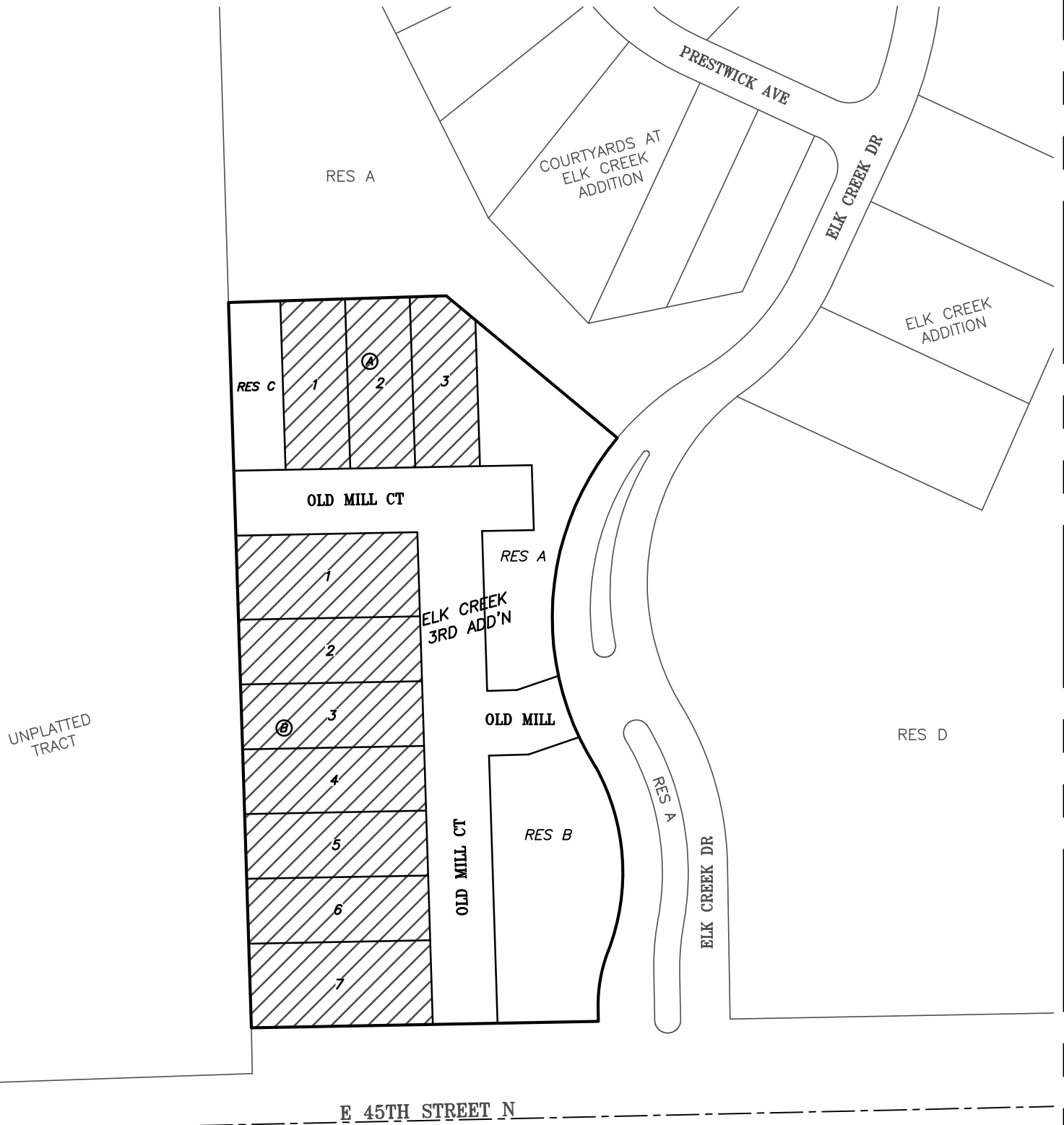
Improvement District Elk Creek 3rd Addition Water Distribution System

Section VI, Item B.



Improvement District Elk Creek 3rd Addition Paving & Storm

Section VI, Item B.



Gilmore & Bell, P.C.
09/27/2022

EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON OCTOBER 4, 2022

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING AND STORM DRAINAGE IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

Thereupon, Councilmember _____ moved that said Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. [] and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
09/27/2022

(Published in *The Ark Valley News*, on October __, 2022)

RESOLUTION NO. [__]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING AND STORM DRAINAGE IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

Construction of pavement on Old Mill Court, with drainage to be installed where necessary.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the Improvements is: \$312,165. Said estimated cost as above set forth may be increased to include interest on financing and administrative and financing costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after October 4, 2022.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Elk Creek 3rd Addition
Lots 1 through 3, Block A
Lots 1 through 7, Block B

to the City of Bel Aire, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per lot (10 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If (i) the Improvements are abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of the Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of the Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on October 4, 2022.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on October 4, 2022 as the same appears of record in my office.

DATED: October 4, 2022.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
09/27/2022

EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON OCTOBER 4, 2022

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

Thereupon, Councilmember _____ moved that said Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. [] and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
09/27/2022

(Published in *The Ark Valley News*, on October __, 2022)

RESOLUTION NO. [__]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, K.S.A. 12-6a19 provides that whenever the construction of any water, stormwater, sanitary sewer or arterial street improvement is initiated by petition pursuant to the Act, the City may require the imposition of a benefit fee on property which is benefitted by such improvements but was not included within the original improvement district established for the levy of special assessments for such improvements; and

WHEREAS, the Petition contains a provision that the City impose a benefit fee on the Improvement District described herein in connection with sewer line improvements authorized by the City, all pursuant to K.S.A. 12-6a19 and K.S.A. 12-101 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the Improvements is: \$86,310. Said estimated cost as above set forth may be increased to include interest on financing and administrative and financing costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after October 4, 2022.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

Elk Creek 3rd Addition
Lots 1 through 3, Block A
Lots 1 through 7, Block B

to the City of Bel Aire, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per lot (10 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City.

(e) In accordance with the provisions of K.S.A. 12-6a19 and K.S.A. 12-101 *et seq.*, a benefit fee shall be imposed against the Improvement District with respect to the cost of an existing sewer main, which has been authorized by Resolution of the City, such benefit fee to be in the amount of \$9,048, and to be allocated within the Improvement District on an equal per lot basis, as described in paragraph (d) above.

(f) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If (i) the Improvements are abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of the Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of the Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on October 4, 2022.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on October 4, 2022 as the same appears of record in my office.

DATED: October 4, 2022.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
09/27/2022

EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON OCTOBER 4, 2022

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

Thereupon, Councilmember _____ moved that said Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. [] and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
09/27/2022

(Published in *The Ark Valley News*, on October __, 2022)

RESOLUTION NO. [__]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION IMPROVEMENTS/ ELK CREEK 3RD ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, K.S.A. 12-6a19 provides that whenever the construction of any water, stormwater, sanitary sewer or arterial street improvement is initiated by petition pursuant to the Act, the City may require the imposition of a benefit fee on property which is benefitted by such improvements but was not included within the original improvement district established for the levy of special assessments for such improvements; and

WHEREAS, the Petition contains a provision that the City impose a benefit fee on the Improvement District described herein in connection with water line improvements authorized by the City, all pursuant to K.S.A. 12-6a19 and K.S.A. 12-101 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the Improvements is: \$44,830. Said estimated cost as above set forth may be increased to include interest on financing and administrative and financing costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after October 4, 2022.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

Elk Creek 3rd Addition
Lots 1 through 3, Block A
Lots 1 through 7, Block B

to the City of Bel Aire, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per lot (10 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by the City.

(e) In accordance with the provisions of K.S.A. 12-6a19 and K.S.A. 12-101 *et seq.*, a benefit fee shall be imposed against the Improvement District with respect to the cost of an existing water main, which has been authorized by Resolution of the City, such benefit fee to be in the amount of \$6,421, and to be allocated within the Improvement District on an equal per lot basis, as described in paragraph (d) above.

(f) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If (i) the Improvements are abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of the Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of the Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on October 4, 2022.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on October 4, 2022 as the same appears of record in my office.

DATED: October 4, 2022.

Melissa Krehbiel, Clerk

PHASE 2 PAVING PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

Skyview at Block 49 2nd Addition-Phase 2

Lots 1 & 2, Block A
Lots 1-27, Block B
Lots 1-9, & 11-26, Block C
Lots 1-5, Block D

do hereby petition, pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

- (a) That there be constructed pavement on; **TOBEN DRIVE** from the north line of Lot 6, Block C to north line of addition; **TOBEN COURT** from the west line of Lot 27, Block C to and including Cul-De-Sac; **JOSHUA STREET** from the west addition line to west line of Toben Drive; **FORBES CIRCLE** from west line of Toben Drive to and including Cul-De-Sac; **FORBES STREET** from east line of Toben Drive to east addition line.

That said pavement on Joshua Street; Forbes Street; and Toben Drive between aforesaid limits be constructed for a width of thirty (30) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of thirty-five (35) feet. Said pavement on Toben Court and Forbes Circle between aforesaid limits shall be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of twenty-nine (29) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary. A 5' sidewalk shall be installed on the west side of Toben Drive and the South side of Joshua adjacent to the new pavement in side-yard areas where driveways are not proposed.

- (b) That the estimated and probable cost of the foregoing improvement being Eight Hundred Ninety-Nine Thousand Dollars (\$899,000), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased

at the pro rata of 1 percent per month from and after September 1, 2022.

- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Bel Aire incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Bel Aire to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement or which the improvement district shall be liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value:

Skyview at Block 49 2nd Addition-Phase 2

Lots 1 & 2, Block A
 Lots 1-27, Block B
 Lots 1-9, & 11-26, Block C
 Lots 1-5, Block D

The above listed lots shall each pay 1/53 of the total cost of the improvements.

In the event all or part of the lots or parcels in the improvement district are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the

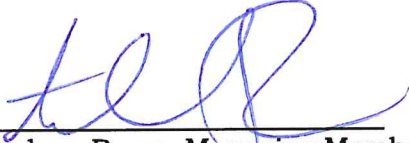
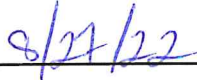
assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing body commences consideration of the petition or later than seven (7) days after filing, whichever comes first.

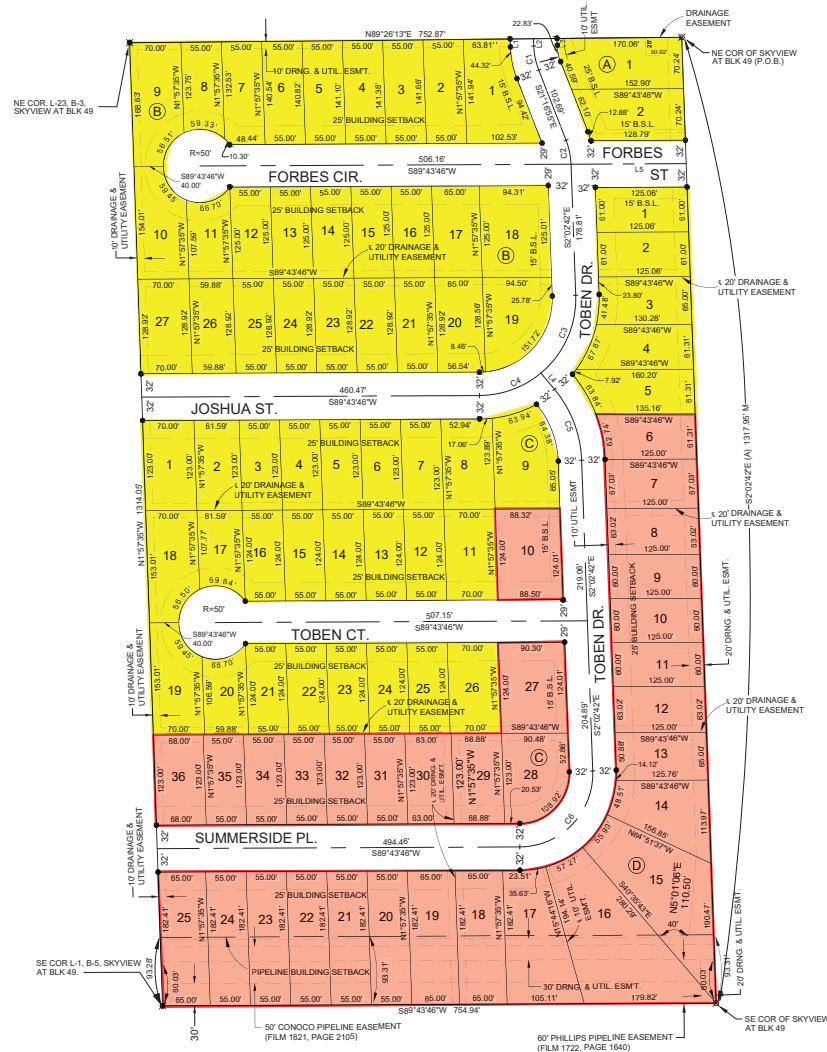
4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
Skyview at Block 49 2nd Addition-Phase 2 Lots 1 & 2, Block A Lots 1-27, Block B Lots 1-9, & 11-26, Block C Lots 1-5, Block D	By:  Andrew Reese, Managing Member Skyview at Block 49, LLC	

SKYVIEW AT BLOCK 49 2ND ADDITION

Part of the NE1/4 of Sec. 20, T26S, R2E
Bel Aire, Sedgwick County, Kansas



PHASE 2 PAVING & WATER EXHIBIT

Lots 1 & 2, Block A
Lots 1-27, Block B
Lots 1-9, & 11-26, Block C
Lots 1-5, Block D

Phase 1 Paving

Phase 2 Paving

SKYVIEW AT BLOCK 49 2ND ADDITION

Bel Aire, Sedgwick County, Kansas
Part of the NE1/4 of Sec. 20, T26S, R2E

State of Kansas)
SS
Sedgwick County)

I, the undersigned, licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on November 15, 2021 and the accompanying final plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 2 EAST OF THE 6th PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING A RE-PLAT OF PART OF SKYVIEW AT BLOCK 49, BELAIRE, SEDGWICK COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SKYVIEW AT BLOCK 49, BELAIRE, SEDGWICK COUNTY, KANSAS; THENCE S02°02'42"E ALONG THE EAST LINE OF SAID ADDITION, A DISTANCE OF 1317.95 FEET TO THE SOUTHEAST CORNER OF SAID ADDITION; THENCE S89°43'46"W ALONG THE SOUTH LINE OF SAID ADDITION, A DISTANCE OF 754.94 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 5, IN SAID ADDITION; THENCE N01°57'35"W ALONG THE EAST LOT LINE OF SAID LOT 1 AND EAST LOT LINES OF LOTS 28-34, BLOCK 4 AND EAST LINE OF RESERVE "D" AND LOTS 20-23, BLOCK 3, IN SAID ADDITION, A DISTANCE OF 1314.05 FEET TO THE NORTH LINE OF SAID ADDITION, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 23 BLOCK 3; THENCE N89°26'13"E ALONG SAID NORTH LINE, A DISTANCE OF 752.87 FEET TO THE POINT OF BEGINNING.

All public easements and dedications are hereby vacated by virtue of K.S.A. 12-512b, as amended.

Garver, LLC

William K. Clevenger, PS #1437
Land Surveyor

State of Kansas)
SS
Sedgwick County)

This is to certify that the undersigned owner(s) of the land described in the Land Surveyor's Certificate have caused the same to be surveyed and subdivided on the accompanying plat into lots, blocks and streets under the name of "SKYVIEW AT BLOCK 49 2nd ADDITION", Bel Aire, Sedgwick County, Kansas; that all highways, streets, alleys, easements and public sites as denoted on the plat are hereby dedicated to and for the use of the public for the purpose of constructing, operating, maintaining and repairing public improvements; and further that the land contained herein is held and shall be conveyed subject to any applicable restrictions, reservations and covenants now on file or hereafter filed in the Office of the Register of Deeds of Sedgwick County, Kansas.

Skyview at Block 49, LLC, a
Kansas limited liability company

Andrew Reese
Managing Member

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me, this ____ day of _____, 2022, by Andrew Reese, Managing Member, on behalf of Skyview at Block 49, LLC, a Kansas limited liability company.

Notary Public

My appointment expires _____.

We the undersigned, holders of a mortgage on a portion of the above described property, do hereby consent to this plat of "SKYVIEW AT BLOCK 49 2ND ADDITION" Bel Aire, Sedgwick County, Kansas.

Legacy Bank, N.A.

Brice T. Malloy
Assistant Vice President

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me this ____ day of _____, 2022, by Brice T. Malloy, Assistant Vice President of Legacy Bank, N.A., on behalf of the Bank.

Notary Public

My appointment expires _____.

State of Kansas)
SS
County of Sedgwick)

This plat of "SKYVIEW AT BLOCK 49 2ND ADDITION", Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas, and is hereby transmitted to the City Council of the City of Bel Aire, Kansas, with the recommendation that such plat be approved as proposed.

Dated this ____ day of _____, 2022.

James Schmidt
Chairperson

Attest:

Anne Stephens
Secretary

State of Kansas)
SS
County of Sedgwick)

The dedications shown on this plat, if any, are hereby accepted by the Governing Body of the City of Bel Aire, Kansas on _____, 2022.

Jim Benage
Mayor

Attest:

Melissa Krehbiel
City Clerk

State of Kansas)
SS
County of Sedgwick)

The title evidence of the land included in this plat has been reviewed by me and this plat is approved pursuant to the provisions of K.S.A. 12-401.

Date Signed: _____, 2022.

By: _____
Jacqueline Kelly, City Attorney

Reviewed in accordance with K.S.A. 58-2005 on this ____ day of _____, 2022.

Tricia L. Robello, PS #1246
Deputy County Surveyor
Sedgwick County Kansas

Entered on transfer record this ____ day of _____, 2022.

Kelly B. Arnold
County Clerk

State of Kansas)
SS
Sedgwick County)

This is to certify that this plat has been filed for record in the office of the Register of

Deeds, this ____ day of _____, 2022, at ____ o'clock __ M, and is duly recorded.

Tonya Buckingham
Register of Deeds

Kenly Zehring
Deputy

Any land dedicated to or owned by a municipal authority shall be exempt from any and all assessments including those assessed by Homeowners Association Covenants. Land within this plat owned by such a municipal organization, exempt from taxation by the laws of the State of Kansas, shall not be subject to any non-taxing authority assessments throughout the duration of such ownership.

No fences will be allowed within pipeline easements.

The Building Setbacks not shown shall be as follows:
Rear yard building setback shall be 20 feet.
Side yard building setback shall be 6 feet.

Accessory buildings

Accessory buildings are allowed on all lots, subject to the following:
1. All construction, including additions, alterations, modifications, and/or use of any detached shed, shall be subject to all applicable governmental laws, codes, regulations, licensure, permitting and inspection associated with construction and property maintenance within the City of Bel Aire, Kansas.
2. Sheds may be permitted within a rear set back line but no closer than 10' to a rear property line.
3. The side yard shall be maintained at 6 feet, and no sheds may be located within a side yard setback.
4. All properties shall comply with the required 35-45% land coverage codes, as well as conform to the type and height structure restrictions.



Gilmore & Bell, P.C.
09/27/2022

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON OCTOBER 4, 2022**

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/SKYVIEW AT BLOCK 49 2ND ADDITION - PHASE 2).

Thereupon, Councilmember _____ moved that said Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. [_____] and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
09/27/2022

(Published in the *Ark Valley News*, on October __, 2022)

RESOLUTION NO. [_____]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/SKYVIEW AT BLOCK 49 2ND ADDITION - PHASE 2).

WHEREAS, a new Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a04(1) (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by owners of record of the property liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

That there be constructed pavement on TOBEN DRIVE from the north line of Lot 6, Block C to north line of addition; TOBEN COURT from the west line of Lot 27, Block C to and including Cul-De-Sac; JOSHUA STREET from the west addition line to west line of Toben Drive; FORBES CIRCLE from west line of Toben Drive to and including Cul-De-Sac; FORBES STREET from east line of Toben Drive to east addition line.

That said pavement on Joshua Street; Forbes Street; and Toben Drive between aforesaid limits be constructed for a width of thirty (30) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of thirty-five (35) feet. Said pavement on Toben Court and Forbes Circle between aforesaid limits shall be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1 / 2) feet in width; making a total roadway width of twenty-nine (29) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary. A 5' sidewalk shall be installed on the west side of Toben Drive and the South side of Joshua adjacent to the new pavement in side-yard areas where driveways are not proposed.

(b) The estimated or probable cost of the Improvements is: \$899,000. Said estimated cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after September 1, 2022.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Skyview at Block 49 2nd Addition-Phase 2

Lots 1 & 2, Block A

Lots 1-27, Block B

Lots 1-9, & 11-26, Block C

Lots 1-5, Block D

in the City of Bel Aire, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement or which the Improvement District shall be liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 & 2, Block A, Lots 1-27, Block B, Lots 1-9, & 11-26, Block C, Lots 1-5, Block D, Skyview at Block 49 2nd Addition, shall each pay 1/59 of the total assessed cost of the Improvements.

In the event all or part of the lots or parcels in the Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be calculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other Improvements.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of the Petition. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on October 4, 2022.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on October 4, 2022 as the same appears of record in my office.

DATED: October 4, 2022.

Melissa Krehbiel, Clerk

Tue Sep 27, 2022 5:00 PM

CLAIMS REPORT

Vendor Checks: 9/13/2022- 9/27/2022

Payroll Checks: 9/13/2022- 9/27/2022

AP ORD 22-18

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
GENERAL					
4IMPRINT fka NELSON MARKETING	BA JOURNALS		509.56	1280952	9/20/22
ADOBE, INC			530.28-	1280952	9/20/22
AFLAC	EMPLOYEE MONTHLY PREMIUM		591.73	1280953	9/13/22
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		19.50	68336	9/21/22
AMAZON CAPITAL SERVICES, INC	OFFICE EQUIP/SUPPLIES		1,319.60	1280954	9/23/22
STRUNK PUBLISHING, LLC	BREEZE AD		759.84	68337	9/21/22
DARRELL ATTEBERRY	PER DIEM:KPOA CONF ATTEBERRY		229.88	68335	9/19/22
ATWOODS-DISTRIBUTING L.P.	EAGLE LAKE FENCE REPAIR		185.98	1280952	9/20/22
BEALL & MITCHELL, LLC	SEPTEMBER COURT		1,237.98	68338	9/21/22
BEST SUPPLY CO	REC:IRRIGATION PARTS		249.93	68339	9/21/22
BLINDPARTS.COM	BLIND PARTS		31.98	1280952	9/20/22
BUCKLEY ROOFING COMPANY INC	PW SHOP-ROOF REPAIRS		627.67	68340	9/21/22
CHARLIES CAR WASH LLC	FLEET CAR WASH		128.00	1280952	9/20/22
CITY OF NEWTON KANSAS	PRE-EMPLOYMENT SCREENING:PD		100.00	68342	9/21/22
CENTRAL MECHANICAL WICHITA,LLC	ANNUAL HVAC SVC AGREEMENT		2,283.47	68344	9/21/22
JEFFREY LEE COLE	PD:DOOR COMBO CHANGE		65.00	68345	9/21/22
COUNTRYSIDE LAWN & TREE CARE	WARM TURF APPLICATION		1,187.32	68346	9/21/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		763.02	1280956	9/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		80.17	1280958	9/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		194.64	1280957	9/16/22
CRAFCO, INC	REC:FIELD PAINT		404.40	68347	9/21/22
CRUMBL COOKIE	CH STAFF APPRECIATION		38.70	1280952	9/20/22
WICHITA WATER CONDITIONING,INC	WATER SERVICE		37.55	1280961	9/23/22
DARIEA VOGT	COMMUNITY ROOM DEPOSIT REFUND		150.00	68348	9/21/22
DELL MARKETING L.P.	OFFICE EQUIPMENT		715.00	68349	9/21/22
DELTA DENTAL PLAN of KANSAS	09/22 MONTHLY PREMIUM		2,177.58	68350	9/21/22
DIGITAL OFFICE SYSTEMS	COPIER OVERAGE :		94.07	68351	9/21/22
DILLONS #0056	NNO CANDY		98.79	1280952	9/20/22
EMPOWER RETIREMENT 457	EMP VLNTRY 457		150.00	1280838	9/14/22
EPIC SPORTS, INC.	SPORT BALLS:REC		430.53	1280952	9/20/22
ESTHER STOTTS	REFUND:INDOOR SOCCER		58.00	68352	9/21/22
FICA/FEDERAL W/H	FED/FICA TAX		17,710.14	1280834	9/14/22
BRIDGESTONE AMERICAS, INC	FLEET MAINTENANCE		460.03	68354	9/21/22
GALAXIE BUSINESS EQUIPMENT	OFFICE EQUIPMENT		160.50	68356	9/21/22
GALLS, LLC	PD UNIFORMS		658.64	68357	9/21/22
BOYD GROUP U S INC	#34 INSURANCE DEDUCTIBLE		1,000.00	68358	9/21/22
HAWKS INTER-STATE PESTMASTERS	09/22:PEST CONTROL:REC		174.52	68359	9/21/22
IMAGINE IT INC	SET UP COURT PRINTER	135.00		1280962	9/23/22
IMAGINE IT INC	TY'S COMPUTER LOCKED	340.00		1280963	9/23/22
IMAGINE IT INC	PT HR SETUP	425.00		1280964	9/23/22
IMAGINE IT INC	OFFICE 365 MONTHY OCT'22	14,250.00	15,150.00	1280965	9/23/22
INDEED	PD JOB POSTING		512.00	1280952	9/20/22
INTERNATIONAL CODE COUNCIL,INC	ICC CODE BOOKS		543.90	1280952	9/20/22
JASONS DELI Q25	COUNCIL RETREAT MEAL		207.50	1280952	9/20/22
KTA - TRANSA TEMP - RET	KTA TOLLS		15.00	1280952	9/20/22
KIDD'S TOWING AND RECOVERY	AUTO TOWING CASE 22-BA0651		215.00	68360	9/21/22
KS ASSOC FOR COURT MANAGEMENT	KACM CONF 2022:NYGAARD		125.00	1280952	9/20/22
KANSAS DEPT OF REVENUE	STATE TAX		3,174.95	1280837	9/14/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		15.21	1280969	9/23/22
KANSAS GAS SERVICE	GAS SVC:REC		53.39	1280967	9/23/22
KANSAS GAS SERVICE	GAS SVC:CH		96.34	1280960	9/23/22
KANSAS GAS SERVICE	GAS SVC:POOL		40.42	1280970	9/23/22

CLAIMS REPORT

/endor Checks: 9/13/2022- 9/27/2022

Payroll Checks: 9/13/2022- 9/27/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
K P E R S	KPERS TIER 3		12,311.83	1280836	9/14/22
KANSAS STATE TREASURER	08/22:COURT FEES		2,853.95	68362	9/21/22
TY LASHER	PER DIEM:ICMA/LKM CONF		437.00	68363	9/21/22
LAUTZ LAW LLC	CRT APPTD DEFENSE ATTY		252.00	68364	9/21/22
LEEKER'S FAMILY FOODS	NNO DRY ICE		42.31	1280952	9/20/22
LINSTAR INC	ID CARDS		25.60	68365	9/21/22
LORI KUHLMAN	REFUND:FLAG FOOTBALL		38.00	68366	9/21/22
LOS CUNADOS MEXICAN GRILL	WOODLAWN PROJ MTG		39.16	1280952	9/20/22
CRAIG A MCCOSKEY	CONTRACT MOWING		400.00	68367	9/21/22
MENARDS WICHITA EAST	NNO SUPPLIES		12.79	1280952	9/20/22
MIKE JOHNSON SALES, INC.	COURT REMINDERS x1000		119.40	68369	9/21/22
MUSIC THEATRE OF WICHITA	SR TRIP-THEATRE TICKETS		246.50	1280952	9/20/22
LINDSIE N NYGAARD	PER DIEM:KACM-NYGAARD		56.00	68371	9/21/22
PARTY CITY #936	BEL OF THE BALL SUPPLIES		41.70	1280952	9/20/22
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	25.50		1280972	9/19/22
PAYLOCITY CORPORATION		656.96-		1280973	9/16/22
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	75.00	556.46-	1280974	9/23/22
PROFESSIONAL ENGINEERING CONSU	WAMPO PLANNING SUPPORT SVC		780.00	68373	9/21/22
PERFECTION BUILDERS	REFUND OVERPYT PERMIT BLD22271		132.60	68333	9/14/22
PITNEY BOWES GLOBAL FINANCIAL	L/P POSTAGE METER:QTR#3		261.45	1280975	9/23/22
PITNEY BOWES GLOBAL FINANCIAL	MONTHLY POSTAGE		500.00	1280976	9/14/22
POLICE RECORDS INFORMATION MGT	REDACTING RECORDS:NYGAARD		159.00	68374	9/21/22
QUILL	OFFICE SUPPLIES	151.49		1280977	9/23/22
QUILL	OFFICE SUPPLIES	61.19		1280978	9/23/22
QUILL	OFFICE SUPPLIES	37.00		1280979	9/23/22
QUILL	OFFICE SUPPLIES	19.04		1280980	9/23/22
QUILL	OFFICE SUPPLIES	85.24		1280981	9/23/22
QUILL	OFFICE SUPPLIES	27.99	381.95	1280982	9/23/22
RESTREAM, INC.	LIVE STREAM SERVICE-ANNUAL		153.91	1280952	9/20/22
SAMSLUB #6418	NNO SUPPLIES		386.56	1280952	9/20/22
SEDGWICK CO DEPT OF FINANCE	08/22 PRISONER HOUSING FEES		319.41	68376	9/21/22
SEWING HISTORY MUSEUM	SR TRIP-MUSEUM TICKETS X13		130.00	1280952	9/20/22
RASHELL D LASHBROOK	10/22 JANITORIAL SVC:CH		2,618.19	68377	9/21/22
SPECTRUM PROMOTIONAL PRODUCTS	REC SPORTS SHIRTS/UNIFORMS		116.40	68378	9/21/22
SUMNER GROUP INC	TA3553CI CONTRACT 08/25-09/24		232.43	68379	9/21/22
TARGET #00019448	OFFICE FURNITURE		383.76	1280952	9/20/22
THE HOME DEPOT 2204	SUPPLIES/MATERIALS		322.42	1280952	9/20/22
UNDERGROUND VAULTS & STORAGE	FILE RETRIEVAL/INTERFILING		5.70	68381	9/21/22
ICMA RETIREMENT 304804	CITY MGR 457		1,597.11	1280835	9/14/22
VISTA PRINT	BUSINESS CARDS		175.98	1280952	9/20/22
WAL-MART #1507	COUNCIL SNACKS		369.61	1280952	9/20/22
WEX BANK	FUEL		2,793.90	1280983	9/16/22
ZERO9 SOLUTIONS LLC			139.80-	1280952	9/20/22
ZOOM VIDEO COMMUNICATIONS	ANNUAL SUBSCRIPTION		149.90	1280952	9/20/22

01	GENERAL TOTAL		82,852.41		
WATER UTILITY					
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		23.40	68336	9/21/22
AMAZON CAPITAL SERVICES, INC	OFFICE EQUIPMENT:PW		254.15	1280954	9/23/22
BANK OF NEW YORK MELLON TRUST	09/22 WATER DEBT SVC	53,689.47		1280840	9/15/22
BANK OF NEW YORK MELLON TRUST	541071:09/22 O&M WATER	39,351.50	93,040.97	1280842	9/15/22
BUCKLEY ROOFING COMPANY INC	PW SHOP-ROOF REPAIRS		627.67	68340	9/21/22

Tue Sep 27, 2022 5:00 PM

CLAIMS REPORT

Vendor Checks: 9/13/2022- 9/27/2022

Payroll Checks: 9/13/2022- 9/27/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
CHISHOLM CREEK UTILITY AUTH.	09/22 CCUA CONTINGENCY		3,000.00	68341	9/21/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.48	1280959	9/14/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		52.02	1280956	9/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.20	1280958	9/16/22
DELTA DENTAL PLAN of KANSAS	09/22 MONTHLY PREMIUM		279.54	68350	9/21/22
DITCH WITCH OF WEST TEXAS	DITCH WITCH SVC REPAIR		532.33	1280952	9/20/22
FICA/FEDERAL W/H	FED/FICA TAX		2,727.84	1280834	9/14/22
FREMAR CORPORATION	27.31TN TOP SOIL-INVENTORY		886.28	68355	9/21/22
GALAXIE BUSINESS EQUIPMENT	OFFICE EQUIPMENT		160.50	68356	9/21/22
KTA - TRANSA TEMP - RET	TOLLS:PW		7.50	1280952	9/20/22
KANSAS DEPT OF REVENUE	STATE TAX		477.20	1280837	9/14/22
KANSAS DEPT OF REVENUE	08/22 SALES TAX		1,504.91	1280966	9/15/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		18.25	1280969	9/23/22
KANSAS GAS SERVICE	GAS SVC:PUMPHOUSE		43.99	1280968	9/23/22
KANSAS GAS SERVICE	GAS SVC:CH		6.57	1280960	9/23/22
K P E R S	KPERS TIER 3		1,809.16	1280836	9/14/22
KWEA-KSAWWA	KSAWWA CONF:AELMORE		225.00	1280952	9/20/22
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT		70.00	68368	9/21/22
POSTMASTER	09/22 POSTAGE:UTILITY BILLS		441.46	68334	9/16/22
QUILL	OFFICE SUPPLIES	40.14		1280980	9/23/22
QUILL	OFFICE SUPPLIES:UB	12.07	52.21	1280981	9/23/22
SCHULTE SUPPLY INC	1" WATER METERS x24		8,038.80	68375	9/21/22
RASHELL D LASHBROOK	10/22 JANITORIAL SVC:PW		103.22	68377	9/21/22
SUPERIOR RUBBER STAMP & SEAL	UTILITY BILLING PAID STAMPS x2		109.00	68380	9/21/22
THE HOME DEPOT 2204	SHOP SUPPLIES		185.62	1280952	9/20/22
USPS PO 1946750085	MAIL WATER SAMPLES		36.75	1280952	9/20/22
UTILITY MAINTENANCE CONTRACTOR	WATER SVC INSTALLS x6		17,400.00	68382	9/21/22
WEX BANK	FUEL		145.68	1280983	9/16/22

02	WATER UTILITY TOTAL		132,433.70		
SEWER UTILITY					
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		23.40	68336	9/21/22
AMAZON CAPITAL SERVICES, INC	OFFICE EQUIP:PW		165.98	1280954	9/23/22
ASCE WICHITA	ASCE MTG:STEPHENS		11.00	1280952	9/20/22
BANK OF NEW YORK MELLON TRUST	09/22 WASTEWATER DET SVC	56,318.72		1280841	9/15/22
BANK OF NEW YORK MELLON TRUST	541071:09/22 O&M WASTEWATER	32,941.56	89,260.28	1280843	9/15/22
BUCKLEY ROOFING COMPANY INC	PW SHOP-ROOF REPAIRS		627.66	68340	9/21/22
CHISHOLM CREEK UTILITY AUTH.	09/22 CCUA CONTINGENCY		2,820.00	68341	9/21/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.47	1280959	9/14/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		52.02	1280956	9/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.20	1280958	9/16/22
DELTA DENTAL PLAN of KANSAS	09/22 MONTHLY PREMIUM		361.82	68350	9/21/22
EMPOWER RETIREMENT 457	EMP VLNTRY 457		400.00	1280838	9/14/22
FICA/FEDERAL W/H	FED/FICA TAX		2,286.11	1280834	9/14/22
GALAXIE BUSINESS EQUIPMENT	OFFICE EQUIPMENT		160.50	68356	9/21/22
KTA - TRANSA TEMP - RET	TOLLS:PW		7.50	1280952	9/20/22
KANSAS DEPT OF REVENUE	STATE TAX		371.29	1280837	9/14/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		18.25	1280969	9/23/22
KANSAS GAS SERVICE	GAS SVC:CH		6.56	1280960	9/23/22
K P E R S	KPERS TIER 3		1,435.43	1280836	9/14/22
KWEA-KSAWWA	KSAWWA CONF:AELMORE		225.00	1280952	9/20/22
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT		70.00	68368	9/21/22

Tue Sep 27, 2022 5:00 PM

CLAIMS REPORT

Vendor Checks: 9/13/2022- 9/27/2022

Payroll Checks: 9/13/2022- 9/27/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
POSTMASTER	09/22 POSTAGE:UTILITY BILLS	441.46	68334	9/16/22	
QUILL	OFFICE SUPPLIES	40.14	1280980	9/23/22	
SCHULTE SUPPLY INC	1" WATER METERS x24	8,038.80	68375	9/21/22	
RASHELL D LASHBROOK	10/22 JANITORIAL SVC:PW	103.19	68377	9/21/22	
03	SEWER UTILITY TOTAL		107,100.06		
SPECIAL STREET & HIWAY					
AFLAC	EMPLOYEE MONTHLY PREMIUM	262.71	1280953	9/13/22	
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION	11.70	68336	9/21/22	
BUCKLEY ROOFING COMPANY INC	PW SHOP-ROOF REPAIRS	627.67	68340	9/21/22	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	48.10	1280958	9/16/22	
CRAFCO, INC	6300 LB MASTIC	8,820.00	68347	9/21/22	
EVERGY KANSAS CENTRAL INC	ELEC SVC:STREET LIGHTING	8,118.31	1280878	9/14/22	
FERRELLGAS	PROPANE	100.36	68353	9/21/22	
FICA/FEDERAL W/H	FED/FICA TAX	356.19	1280834	9/14/22	
KANSAS DEPT OF REVENUE	STATE TAX	43.94	1280837	9/14/22	
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP	9.13	1280969	9/23/22	
K P E R S	KPERS	292.56	1280836	9/14/22	
NATIONAL SIGN COMPANY, INC.	SIGNS, MATERIALS/SUPPLIES	2,028.20	68370	9/21/22	
PEARSON MATERIALS	1.40TN COLD PATCH	198.80	68372	9/21/22	
SEDGWICK CO TAG OFFICE	DUMP TRUCK TAG	34.49	1280952	9/20/22	
WEX BANK	FUEL	531.81	1280983	9/16/22	
04	SPECIAL STREET & HIWAY TOTAL		21,483.97		
CAPITAL IMPRV RESERVE					
PROFESSIONAL ENGINEERING CONSU	PAVEMENT IMPROVEMENTS PH2	9,553.75	68373	9/21/22	
05	CAPITAL IMPRV RESERVE TOTAL		9,553.75		
EQUIPMENT RESERVE					
CLARK EQUIPMENT COMPANY	2022 BOBCAT EXCAVATOR	59,924.12	68343	9/21/22	
06	EQUIPMENT RESERVE TOTAL		59,924.12		
BOND & INTEREST					
KANSAS STATE TREASURER	G02014A PRINC INT PYT	58,050.00	1280971	9/26/22	
08	BOND & INTEREST TOTAL		58,050.00		
CAPITAL PROJECTS					
KANSAS DEPT OF TRANSPORTATION	RAIL SPUR LOAN PYMNT #85	3,877.06	68361	9/21/22	
09	CAPITAL PROJECTS TOTAL		3,877.06		
STORMWATER UTILITY					
THE HOME DEPOT 2204	DITCH REPAIR PARTS	57.97	1280952	9/20/22	
14	STORMWATER UTILITY TOTAL		57.97		

CLAIMS REPORT
Vendor Checks: 9/13/2022- 9/27/2022

Payroll Checks: 9/13/2022- 9/27/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
CAPITAL PROJECTS #2 FUND					
STRUNK PUBLISHING, LLC	NOTICE OF BOND SALE		363.52	68337	9/21/22
FREMAR CORPORATION	PRESTWICK NORTH RAB TOP SOIL		1,896.80	68355	9/21/22
UNION PACIFIC RAILROAD COMPANY	WOODLAWN EASEMENT		2,000.00	68383	9/22/22
UTILITY MAINTENANCE CONTRACTOR	PRESTWICK IRRIGAT BORING N RAB		1,950.00	68382	9/21/22

	33 CAPITAL PROJECTS #2 FUND TOTAL		6,210.32		
			=====		
	Accounts Payable Total		481,543.36		
Payroll Checks					

	01 GENERAL		56,934.56		
	02 WATER UTILITY		7,940.33		
	03 SEWER UTILITY		5,938.70		
	04 SPECIAL STREET & HIWAY		1,245.97		

	Total Paid On: 9/14/22		72,059.56		
			=====		
	Total Payroll Paid		72,059.56		
			=====		
	Report Total		553,602.92		
			=====		

Debi Appel
9/27/22

City of Bel Aire, Kansas

STAFF REPORT

DATE: September 20, 2022

TO: City Manager

FROM: Anne Stephens, PE

RE: Cedar Pass Wetland Mitigation



BACKGROUND:

The Cedar Pass subdivision has approximately 0.32 acres of wetlands as identified by a wetland delineation study by GSI Engineering. Per federal requirements, Cedar Pass must either not disturb the delineated wetland, construct a new wetland to offset the removal of the existing wetland, or purchase a wetland mitigation offset at an off-site property.

DISCUSSION:

During the preliminary design phase of the development of the Cedar Pass subdivision, a wetland delineation study was performed by GSI Engineering to determine if any existing wetlands exist on site, and if so, how much. Per United States Army Corps of Engineers guidelines, existing wetlands must be mitigated either on-site or off, when impacted by a construction project. The Developer, in coordination with Garver has determined that they wish to pursue an off-site wetland mitigation with the Sunflower Land Trust. The United States Army Corps of Engineers is acceptable to this request. This is a one-time fee for purchase and there will be no annual maintenance costs associated with this mitigation purchase.

The Sunflower Land Trust was recommended to the Developer by the United States Corps of Engineers as a provider they are comfortable working with.

FINANCIAL CONSIDERATIONS: The cost of the offset is \$23,000 and will be paid for out of the project budget and will be included in the special assessments for this project. The price for the offset is fixed based on the acreage being secured. The Sunflower Land Trust did indicate that they would hold this price for us until such time as the funds need to be deposited.

POLICY DECISION: In discussions with the Project Engineer, purchasing the wetland mitigation credit will be less hassle in the near-term and long-term with creating and maintaining a wetland area on-site.

RECOMENDATION: It is Staff's recommendation that the Council approve the purchase of the wetland mitigation offset from the Sunflower Land Trust.



1995 Midfield Road
Wichita, KS 67209

TEL 316.264.8008

www.GarverUSA.com

September 20, 2022

Anne Stephens, PE
City Engineer – City of Bel Aire, Kansas
astephens@belaireks.gov

Re: Cedar Pass Addition Stormwater Drain Project, City of Bel Aire, Kansas (Anne Stephens, P.E. City Engineer)
US Army Corps of Engineers JD (NWK-2022-00436) Sarah Reznicek, Regulatory Project Manager
Northeast Developers, LLC, Eugene Vitarelli, Managing Member (subdivision owner)

Dear Ms. Stephens,

During the permitting process for the Stormwater Drain Project, the US Army Corps of Engineers determined the existence of jurisdictional wetlands in Reserve C, Cedar Pass Addition. Upon a more formal review including a wetland determination performed by GSI Engineering, an area of 0.32 acres of wetland was found on site.

As you know, the US Army Corps of Engineers has jurisdiction over waters of the United States, particularly in areas identified as wetlands. Construction of the new stormwater detention facility will remove this wetland, and to offset this loss, the Corps accepts the formal purchase of a wetland offset as mitigation. The Sunflower Land Trust provides this service with a wetland pool area they have created at their facility, and they are Corps of Engineers approved provider for this service.

The Corps has requested a direct 1:1 ratio of wetland offset to be provided due the development of the Stormwater project for a total of 0.32 acres. The Sunflower Land Trust will provide this mitigation for a fee of \$23,000.00. Since the project is a City of Bel Aire Stormwater project, costs for this mitigation can be included in the petitioned project for the Stormwater Drain. This offset takes the place of designing, constructing and perpetually maintaining a new wetland area on the site which is impractical given the residential and commercial character of the site.

Please present the request of allocating \$23,000 from the Stormwater Drain Project for Cedar Creek Addition for the 0.32-acre wetland mitigation offset to the City of Bel Aire City Council. We will coordinate with Bel Aire to time the actual transfer of funds in coordination with the Corps permitting process.

Do not hesitate to contact me should you require any additional information.

Best regards,

GARVER

A handwritten signature in blue ink that reads 'Christopher Bohm'.

Christopher Bohm, Senior Project Manager

From: [Jim Michael](#)
To: [Anne Stephens](#)
Subject: Re: Cedar Pass Addition - Sunflower Land Trust
Date: Thursday, September 22, 2022 5:16:22 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Thank you for contracting the Sunflower Land Trust for your wetland mitigation needs at the Cedar Pass Storm Drain project. It is our understanding that the Corps of Engineers is requiring the City of Bel Aire to purchase 0.32-acre of wetlands to offset damages prior to their submission of the project for a Nationwide Permit. Usually the SLT gets a mitigation request once the Permit has been granted. The bid price for the 0.32 wetland acreage is \$23,000.00. The bid price is effective through November 15, 2022.

Should you need anything more, feel free to call me at 316-734-7545. Like most of us, I spend more time in the field than in the office.

Thank you for your request.

Jim E. Michael, CEO
Sunflower Land Trust, Inc.

On Wed, Sep 21, 2022 at 4:00 PM Anne Stephens <AStephens@belaireks.gov> wrote:

Thanks Chris!

Jim – Would you be able to provide me with a confirmation on the mitigation cost for the Cedar Pass project? I would greatly appreciate it if I could have something by the end of the week so I can get this in front of our Council for their consideration.



Anne Stephens, PE

City Engineer

7651 E. Central Park Ave.

Bel Aire, KS 67226

P: (316) 744-2451 ext: 133



From: Bohm, Christopher M. <CMBohm@GarverUSA.com>

Sent: Wednesday, September 21, 2022 3:59 PM
To: Anne Stephens <AStephens@belaireks.gov>; Jim Michael <slt.ks.usa@gmail.com>
Subject: Cedar Pass Addition - Sunflower Land Trust

Good afternoon Anne,

Please see the attached, revised, letter to the Sunflower Land Trust that you can include in the Council Packet. Jim Michael with the Trust would like to email him directly for the confirmation of the mitigation cost, which he will provide to you and the Council. Thanks for your continued assistance with this process and let me know if you have any questions.

All the best - Chris



Christopher Bohm
Senior Project Manager
Transportation Team

📞 316-264-8008
📠 316-258-3237

Preliminary Wetland Identification and Delineation

**Cedar Pass Addition
North Webb Road and East 53rd Street North
NE¼, Section 17, Township 26S, Range 02E
Bel Aire, Kansas**


GSI Project No. 22W2004.01
August 2022

Prepared for:

Garver, LLC
1995 Midfield Rd.
Wichita, Kansas 67209

Prepared by:

GSI Engineering, LLC
4503 E. 47th St. South
Wichita, Kansas 67210



Ray Montez
Staff Scientist

Sean Corns
Senior Staff Scientist

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Appendix B – USGS Topographic Map

Appendix C – National Wetland Inventory Map

Appendix D – FEMA FIRM Map

Appendix E – NRCS Soil Survey

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Appendix G – Site Photos

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EXECUTIVE SUMMARY

At the request of Garver, LLC (Garver), GSI Engineering, LLC (GSI) conducted a preliminary jurisdictional wetland determination for potential jurisdictional wetlands on subject property of interest to Garver.

The subject property is in Bel Aire, Sedgwick County, Kansas at North Webb Road and East 53rd Street North, approximately 8.0 miles northeast of downtown Wichita, situated within the NE quarter of Section 17, Township 26 South, Range 02 East (Lat/Long: 37.781775, -97.231897). The 80-acre Site is undeveloped, consisting of agricultural cropland and open pasture that feature potential Waters of the United States (WOTUS), including jurisdictional wetland.

GSI reviewed relevant aerial imagery, USGS Topographical Maps, National Wetland Inventory Maps, NRCS Soil Maps, and conducted an on-site assessment to identify potential WOTUS on the subject property. WOTUS include streams, ponds, lakes, wetlands, and other waterbodies that may be protected under Sections 404 and 401 of the Clean Water Act. Under the Navigable Waters Protection Rule (NWPR), WOTUS include traditional navigable waters, intermittent and perennial tributaries, lakes, ponds, and impoundments of jurisdictional waters, and adjacent wetlands. Ephemeral features and isolated wetlands are not considered jurisdictional WOTUS.

GSI identified potential WOTUS that includes approximately 2.90-acres of pond, approximately 1,335-feet of surface drainage identified as USGS blue line stream, approximately 581-feet of agricultural drainage, and approximately 0.32-acres of wetland within the Site boundaries. The pond is connected to the USGS blue line stream. The blue line stream is an unnamed tributary of Whitewater Creek, meeting the current Clean Water Act definition of WOTUS. The identified wetland areas are connected to the unnamed tributary, therefore, meeting the definition of jurisdictional wetlands. The channelized agricultural drainage feature may be classified as WOTUS since it is connected to the identified pond.

The U.S. Army Corps of Engineers reserves the right to determine the jurisdictional status of these water bodies on a case-by-case basis. GSI recommends that the USACE be contacted prior to the initiation of any work that could impact identified aquatic resources within the area of delineation.

1.0 INTRODUCTION

GSI Engineering LLC (GSI) was retained by Garver, LLC (Garver) to conduct a preliminary jurisdictional wetland determination for potential wetlands on subject property (Site) of interest. This report presents the results of the preliminary jurisdictional wetland determination performed by GSI.

1.1 Project Location and Description

The Site is in Bel Aire, Sedgwick County, Kansas North Webb Road and East 53rd Street North, approximately 8.0 miles northeast of downtown Wichita (**Appendix A – Figure 1**), situated within the NE quarter of Section 17, Township 26 South, Range 02 East (Lat/Long: 37.781775, -97.231897). The 80-acre Site is undeveloped, consisting of agricultural cropland and open pasture that feature potential Waters of the United States (WOTUS), including jurisdictional wetland.

1.2 Scope of Work

GSI understands that this assessment is for due diligence prior to development of the Site. GSI has conducted this preliminary jurisdictional wetland determination by reviewing relevant aerial imagery, USGS Topographical Maps, National Wetland Inventory Maps, NRCS Soil Maps, and conducting an on-Site assessment to identify potential WOTUS. WOTUS include streams, ponds, lakes, wetlands, and other waterbodies that may be protected under Sections 404 and 401 of the Clean Water Act. Under the Navigable Waters Protection Rule (NWPR), WOTUS include traditional navigable waters, intermittent and perennial tributaries, lakes, ponds, and impoundments of jurisdictional waters, and adjacent wetlands. Ephemeral features and isolated wetlands are not considered jurisdictional WOTUS. The United States Army Corps of Engineers (USACE) (*Federal Register 1982*) and the United States Environmental Protection Agency (EPA) (*Federal Register 1980*) jointly define “wetlands” as: *those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions*”. The purpose of the preliminary jurisdictional wetland identification and delineation is to make an initial determination as to whether streams or potential wetlands on the subject property fall under federal jurisdiction pursuant to the Clean Water Act (33 CFR §328.3).

2.0 METHODOLOGY

GSI performed this wetland delineation according to the methods described in the USACE *Wetlands Delineation Manual* (1987) and the *Great Plains Regional Supplement (Version 2.0)* (2010). Wetland conditions are determined by the presence of three criteria: 1) a predominance of hydrophytic vegetation, 2) hydric soils, and 3) wetland hydrology. Documents are obtained and reviewed relative to these three criteria, then field verified by cataloguing plant types in suspect WOTUS locations, collecting soil samples at multiple locations in representative areas of the project for assessing hydric conditions, and observations for wetland hydrology. Assessment points and interpreted jurisdictional limits as determined in the field are located using a differentially corrected, sub-meter Global Positioning System (GPS).

Jurisdictional streams are determined by visual assessment and characterization of stream channel characteristics, as well as by a study of the geomorphology and hydrology of a project site. Of primary importance is the presence of an ordinary high-water mark and bed and bank features which result from scouring forces from a concentration of flowing water along channel banks. Upon observation of an ordinary high-water mark, physical attributes of the stream are surveyed and measured to determine the extent and frequency of stream flow. Ephemeral channels only carry storm flow for short durations after rain events and are typically void of pools after more than several days following a rain event. Intermittent streams carry storm flow for seasonal durations, are influenced by groundwater flows, and often contain pools that provide habitat to macroinvertebrates adapted to aquatic habitats. Pool formation is supported by groundwater flow between rain events. Perennial streams run continuously and are observed to maintain relatively consistent flows. Perennial streams are often associated with a steady ground water source and are also dependent upon upstream ephemeral and intermittent stream flow. Only perennial and intermittent streams are considered jurisdictional under the 2020 Navigable Waters Protection Rule. The state of Kansas does not regulate isolated wetland and ephemeral streams.

3.0 DOCUMENT REVIEW

3.1 Aerial Photographs

GSI reviewed Google Earth's aerial images (1996 – 2022) to attempt to identify land use, natural aquatic features and areas exhibiting potential inundation at the Site. Aerial imagery from 2022 indicates that the Site is undeveloped. A hedgerow splits the Site into two land uses. The western portion of the Site is agricultural cropland, while the eastern portion of the Site consists of sparsely vegetated pasture that possesses surface water features. (**Appendix A – Figure 2**). Aerial imagery (2022) reveals the presence of one pond, surface drainage features, and areas of potential inundation. Surface drainage features appear to be connected to the pond. The pond appears to be connected to an unnamed tributary of Whitewater Creek. These features appear natural and are present in aerial images dating back to 1996.

We utilized and viewed EPA's geospatial waters data (WATERSKMZ v1.10 (.kmz)) to assist further in WOTUS identification of the Site. The KMZ layer indicating streams shows no streams on the Site.

3.2 USGS Topographic Maps

GSI reviewed the 7.5-minute United States Geological Survey (USGS) Topographical Map (Greenwich quadrangle) for the presence of WOTUS. The map indicates the presence of one stream (unnamed stream/tributary) and one pond on the Site. The stream features are mapped as solid (Perennial stream) and broken blue lines (Intermittent stream). The pond is mapped as blue polygons (Perennial pond). The map indicates that the unnamed tributary connects to Whitewater Creek. The full 7.5-minute USGS Topographical map (Greenwich) is provided in **Appendix B**.

3.3 National Wetlands Inventory Map

The United States Fish and Wildlife Service (USFWS) maintains a National Wetlands Inventory (NWI) for surface waters and wetlands of the United States. The USFWS NWI was reviewed to obtain information pertaining to NWI-mapped wetlands and waterbodies at the Site. The NWI maps are prepared by USFWS using aerial photography but are not field verified. The NWI map indicates one freshwater pond and freshwater emergent wetland at the Site. The freshwater pond and the emergent wetland appear to be hydrologically connected to Whitewater Creek. A copy of the NWI map for the Site is provided in **Appendix C**.

3.4 FEMA FIRM Map

The Federal Emergency Management Agency (FEMA) maintains an official online database to locate flood hazards using mapping services. Mapping products created for the National Flood Insurance Program (FIRM) are used to determine where flood zones exist. According to the FEMA FIRM map, eastern portions of the Site are within Zone A (special flood hazard areas). A copy of the FEMA FIRM map coverage of the Site is included in **Appendix D**.

3.5 NRCS Soil Survey

Soils at the Site were identified using the NRCS Web Soil Survey the Web Soil Survey, prepared by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), was reviewed for information concerning hydric soils in the area. Hydric soils as defined by the National Technical Committee for Hydric Soils are “soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions.” According to the Web Soil Survey, the Site is underlain by two non-hydric soil types as summarized in Table 3.1. See **Appendix E** for a soil distribution map.

Table 3.1: NRCS Soil Survey Summary

Map Unit Name (Symbol)	Percent Slope	Drainage Class	Hydric Rating		Description
			YES	NO	
Goessel silty clay (3858)	1 to 3	Moderately well drained		X	Paleoterraces composed of silty clay/clay loam derived from clayey alluvium over loamy alluvium
Rosehill silty clay (3911)	1 to 3	Well drained		X	Hillslopes composed of silty clay derived from residuum weathered from clayey shale

4.0 FIELD CONDITIONS SUMMARY

GSI conducted an on-Site assessment of the subject property on August 5, 2022, to verify and document the potential WOTUS findings presented in Section 3.0. The Site assessment confirms the presence of surface drainage patterns and a pond at the Site. Other than the pond, there were no other areas inundated at the time of the Site visit. Identified drainage patterns are to the west, and to the south of the pond and appear to be hydrologically connected. These surface drainage features may be considered as an ephemeral stream, as they appear to flow only during precipitation events and do not appear connected to the groundwater table. However, GSI notes that this Site is within a designated floodplain and its possible that these drainage channels may have formed from active floodwaters, overflow from the pond to the south, or from backflow from the pond onsite. Based on our observations it appears that an emergent wetland has developed along these drainage corridors that are listed as blue line streams on the USGS map found in **Appendix B**. GSI concluded that these drainage patterns were wetlands based on vegetation, hydric soil, and wetland hydrology. The Site's WOTUS features are mapped in **Appendix A – Figure 4**, summarized below in Table 4.1, and detailed in this section.

Table 4.1: Summary of WOTUS Findings

Map ID	Type of Aquatic Resource	Estimated Amount	Preliminary WOTUS Determination	
			NO	YES
P1	Pond	2.90-ac		X
AD1	Agricultural drainage	581-ft		X
BD1	Braided drainage patters	1,335-ft		X
W1	Wetland	0.32-ac		X

4.1 Ponds

Pond 1

Pond 1 is approximately 2.90-acres in size and appears to have been established by historical damming. The pond shows a hydrologic connection with White Water Creek to the north. Only a portion (2.46-acres) of the pond is within the Site boundary. The depth of the pond was approximately 2 to 3 feet, which appeared significantly low, based on observed high water mark, exposed bare soils along pond edges, and historical aerial imagery. At the time of the Site

assessment cattle were utilizing the pond for heat relief. This pond is identified on USFWS NWI maps.

4.2 Streams

Agricultural Drainage

On site observation found remnants of a meandering channel to the west of the pond. This drainage feature appears to be either a natural ephemeral tributary of Whitewater Creek, or artificial agricultural drainage developed by property owners. This agricultural drainage feature begins at the southwest end of the pond and terminates at the agricultural field, near the hedgerow, approximately 878-ft to the west of the pond. The assumed agricultural drainage is in some areas channelized and well defined; however, site observations noted bare dry soils, upland vegetation, and signs of ephemeral drainage. The drainage channel is approximately 1.0 to 3.0 feet wide and in a few areas approximately 0.75 to 1.0 foot deep, respectively. No flowing water or fauna were observed at the time of the Site visit. A shovel point was attempted but the soil was hard and dry and could not be penetrated, no signs of hydrophytic vegetation were noted along this drainage.

Braided Drainage Patterns

Surface drainage features to the south of the pond were braided-dry channels that had exposed-moist soils, and intermittent bank characteristics. Some drainage patterns branched off the main channel, but terminated with minimal distance, while the main drainage channel bed and bank features were intermittently visible for approximately 1,335-ft to the south and continued off Site via culvert under East 53rd Street. The braided drainage system was observed to be intermittently channelized, well defined in areas and contained evidence (saturated and areas where the concave soil bed of the soil channels features were cracked) of intermittent drainage. The braided channel was 3.0 to 4.0 feet wide near the ponded area and tapered off to 1.5 to 2.0 feet wide with distance from the pond. Evidence of vegetative stress was observed in Osage Orange (*Maclura pomifera*) trees that were within, or adjacent to the braided-dry channel system. This stress appears to be a result of prolonged inundation, as they were leafless and appeared to be dead. The main channel of the braided drainage system may be considered jurisdictional by the USACE based on the observed features, its USGS-mapped status, and its connection to a USFWS NWI classified pond.

4.3 Wetlands

GSI identified and delineated areas having hydrophytic vegetation, hydric soils, and wetland hydrology. These features were recorded on USACE Great Plains Region Wetland Determination forms (**Appendix F**). Soils were evaluated using “2020 pocket guide to Hydric Soil Indicators” and “Munsell Soil Color Book”. Site photos can be found in **Appendix G**. Based on these results, GSI is making the preliminary determination that approximately 0.30-acres of emergent wetland are present at this Site. This emergent wetland is likely to be considered jurisdictional, meeting the definition of WOTUS. See below for details on the wetland determination.

Wetland

GSI delineated an area of approximately 0.32-acres that contained hydric plants, hydric soils and hydrology that is consistent with emergent wetland habitat. These linear areas were within the braided drainage channel to the south of the identified pond. Vegetation in these areas were dominated by Sumpweed (*Iva annua*), Fox Sedge (*Carex vulpinoidea*), Curly dock (*Rumex crispus*), and Black Willow (*Salix Nigra*). Soils were indicative of redox below a dark surface (F6) 10YR 4/1 0 to 1 inch, and 10YR 3/1 from 1 to 16 inches with a 40 percent redox color of 5YR8 from 1 to 16 inches below ground surface. Hydrological indicators observed were drainage patterns, surface soil cracks, algal mat or crust, and crayfish burrows. Observation Points (OB) representative of wetland habitat are OB-1 and OB-3 in Figure 4. The remaining OB points with letters in Figure 4 represent non-wetland areas.

5.0 CONCLUSION

GSI has conducted a preliminary jurisdictional wetland determination for the 80-acre Site located at North Webb Road and East 53rd Street North in Bel Aire, Sedgwick County, Kansas. Document review and field verification/observation revealed the presence of one pond, evidence of surface drainage and potential jurisdictional wetlands at the Site. The pond and the hydrologically connected wetland features are likely to be considered jurisdictional by the USACE. In this case, jurisdiction has been determined by the identified drainage status as a USGS blue line stream, and its hydrologic connection to the NWI listed pond. The identified wetland area is within assumed jurisdictional WOTUS and would likely be considered jurisdictional by the USACE due to its connection to Whitewater Creek. Field observations identified agricultural drainage that may be considered as ephemeral or potentially a tributary of Whitewater Creek. The USACE interpretation will make final determination on their jurisdictional status.

6.0 LIMITATIONS

This report has been prepared on behalf of and for the exclusive use of the addressee, solely for use in a wetland delineation of the Site. This report and the findings contained herein shall not, in whole or in part, be disseminated or conveyed to any other party, nor used by any other party in whole or in part, without the prior written consent of GSI. Unless other contractual agreements were made, the services described in this report were carried out in accordance with the General Conditions for GSI's Services which accompanied the proposal.

The delineation provided herein is based upon our research and observations during site reconnaissance. Our findings have been prepared for the client solely for a wetland delineation of the project site. This report may be used as part of a submittal to the USACE for confirmation of permit status. GSI is not responsible for independent conclusions or recommendations made by others. The United States Army Corps of Engineers (USACE) has final authority deciding whether the proposed activities associated with planned development require permits. Our delineation and recommendations do not supersede any decision made by the USACE.

This delineation was performed in accordance with the generally accepted practices of other consultants undertaking similar studies at the same time and in the same geographical area, and GSI observed that degree of care and skill generally exercised by other consultants under similar circumstances and conditions. The findings and conclusions stated herein must be considered not as scientific certainties, but rather as professional opinions concerning the significance of the limited data gathered during the course of the wetland delineation. No other warranties, expressed or implied, are made. Specifically, GSI does not and cannot represent that the site contains no wetlands or other jurisdictional waterbodies beyond that observed by GSI during its site assessment.

The observations described in this report were made under the conditions stated therein. The conclusions presented in the report were based solely upon the services described therein, and not on scientific tasks or procedure beyond the scope of described services. Furthermore, such conclusions are based solely on, on-site conditions, and rules and regulations, which were in effect, at the time of the study.

In preparing this report, GSI has relied on certain information provided by state and local officials and other parties referenced therein, and on information contained in the files of state and/or local agencies available to GSI at the time of the site assessment. Although there may have been some

degree of overlap in the information provided by these various sources, an attempt to independently verify the accuracy or completeness of all information reviewed or received during this site assessment was not made.

If information is developed relative to wetlands issues at the site and not contained in this report, such information shall be brought to GSI's attention. GSI will evaluate such information and, based on this evaluation, may modify the conclusions stated in this Report.

The purpose of this Report was to present the results of a wetland delineation performed in substantial conformance with the 2010 USACE Great Plains Regional Supplement to the Routine Method presented in the 1987 Federal Wetlands Delineation Manual (Environmental Laboratory, 1987), or other superseding local requirements. No specific attempt was made to check on the compliance of present or past owners or operators of the site with federal, state, or local laws and regulations, environmental or otherwise.

See **Appendix H** for a summary of qualifications from those performing the preliminary wetland determination.

7.0 RECOMMENDATIONS

GSI recommends that this report be submitted to USACE for a jurisdictional determination for applicable permitting, if any, for the Site. The USACE is solely entrusted with making the final determination as to what constitutes a Jurisdictional WOTUS.

8.0 REFERENCES

- National Wetland Inventory Map, U.S. Fish and Wildlife Service Online Wetland Mapper, <http://www.fws.gov/wetlands>
- USDA. Natural Resources Conservation Service (NRCS) Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- U.S. Army Corps of Engineers, Engineer Research and Development Center, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2)*, March 2010.
- U.S. Army Corps of Engineers, Waterways Experiment Station, *Corps of Engineers Wetlands Delineation Manual, Wetlands Research Program Technical Report Y-87-1* (on - line addition), January 1987
- USDA. Natural Resources and Conservation Service Plants Database, <<https://plants.usda.gov/java/>>, (last modified 03/12/2018).
- USEPA. The Waterskmz Tool. Water Data and Tools. WATERSKMZ v1.10(kmz): <https://www.epa.gov/waterdata/viewing-waters-data-using-google-earth>
- USGS. National Geospatial Program. US Topo: Maps for America Topo builder Application v:1.0.0 <https://topobuilder.nationalmap.gov/>
- Munsell Color. (2019). *Munsell soil-color charts: With genuine Munsell Color Chips*.
- Wetland Training Institute, Inc. 2020 Pocket Guide to Hydric Soil Field Indicators v. 8.2 Robert J Pierce (ed.). Wetland Training Institute, Inc., Stevens Point, Wisconsin. 196 p.

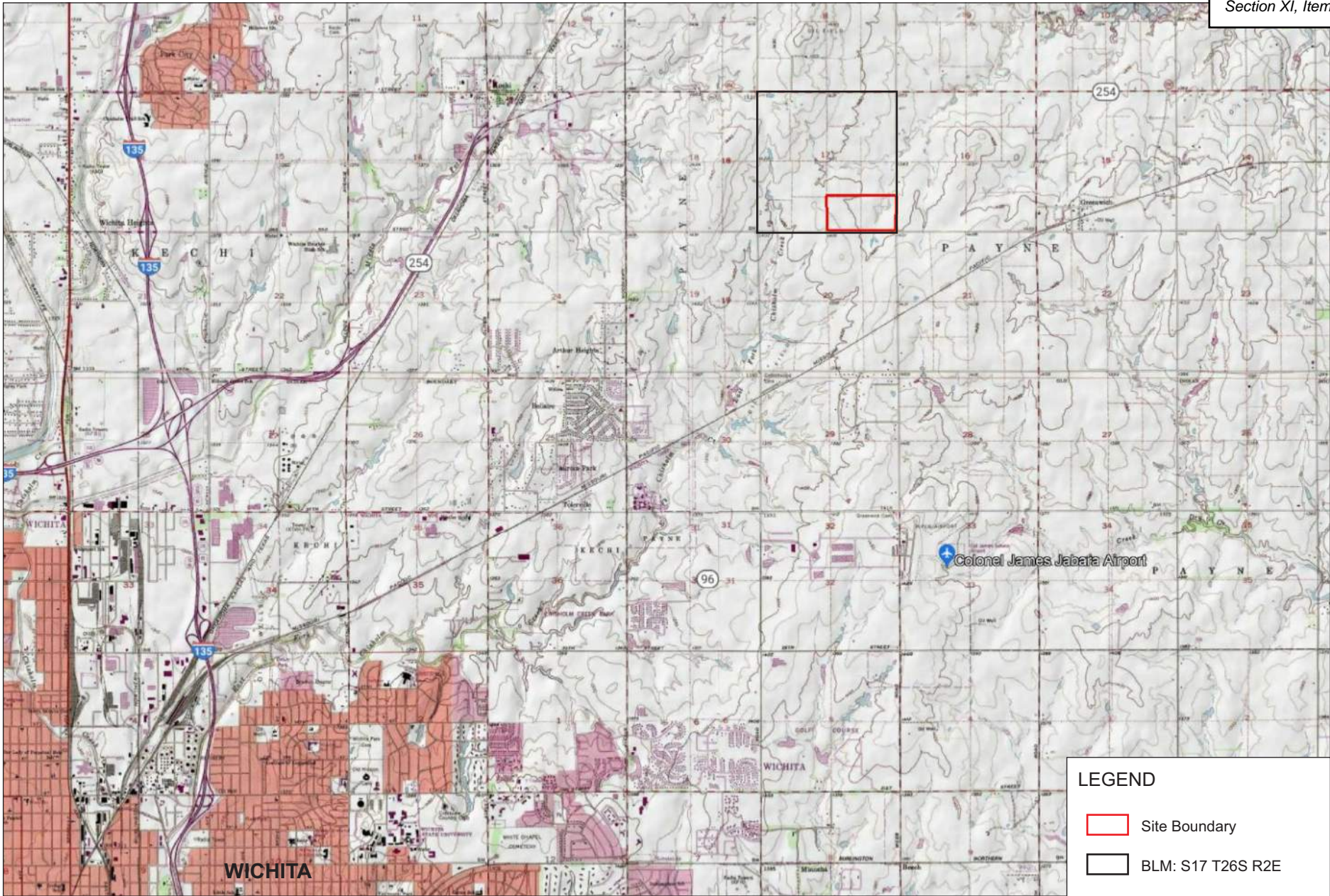
APPENDIX A

Figure 1: Site Location Map

Figure 2: Site Aerial Imagery Map

Figure 3: Site Observation (OB) Points Locations Map

Figure 4: Site WOTUS Map



Cedar Pass
E. 53rd Street North and N. Webb Road
Bel Aire, Kansas

2.0
mile



GSI PROJECT NO.:
22W2004.01

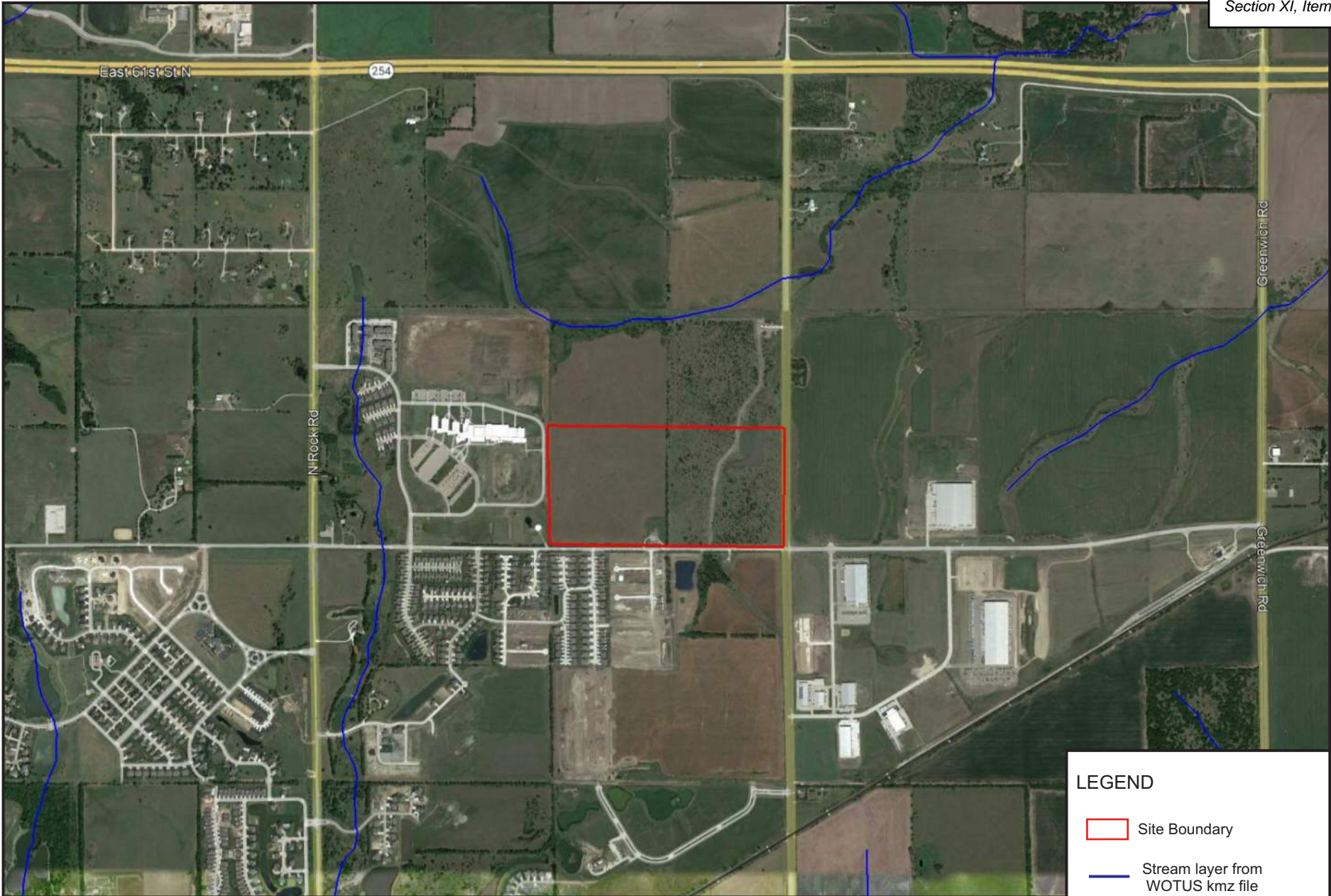
DATE CREATED:
08.17.2022

BY:
R.MONTEZ

LEGEND

- Site Boundary
- BLM: S17 T26S R2E
- Roads
- County Boundary
- BOUNDARIES ARE APPROXIMATE

FIGURE 1
Site Location Map



LEGEND

- Site Boundary
- Stream layer from WOTUS kmz file
- Roads

BOUNDARIES ARE APPROXIMATE

FIGURE 2
Google Earth Aerial Imagery



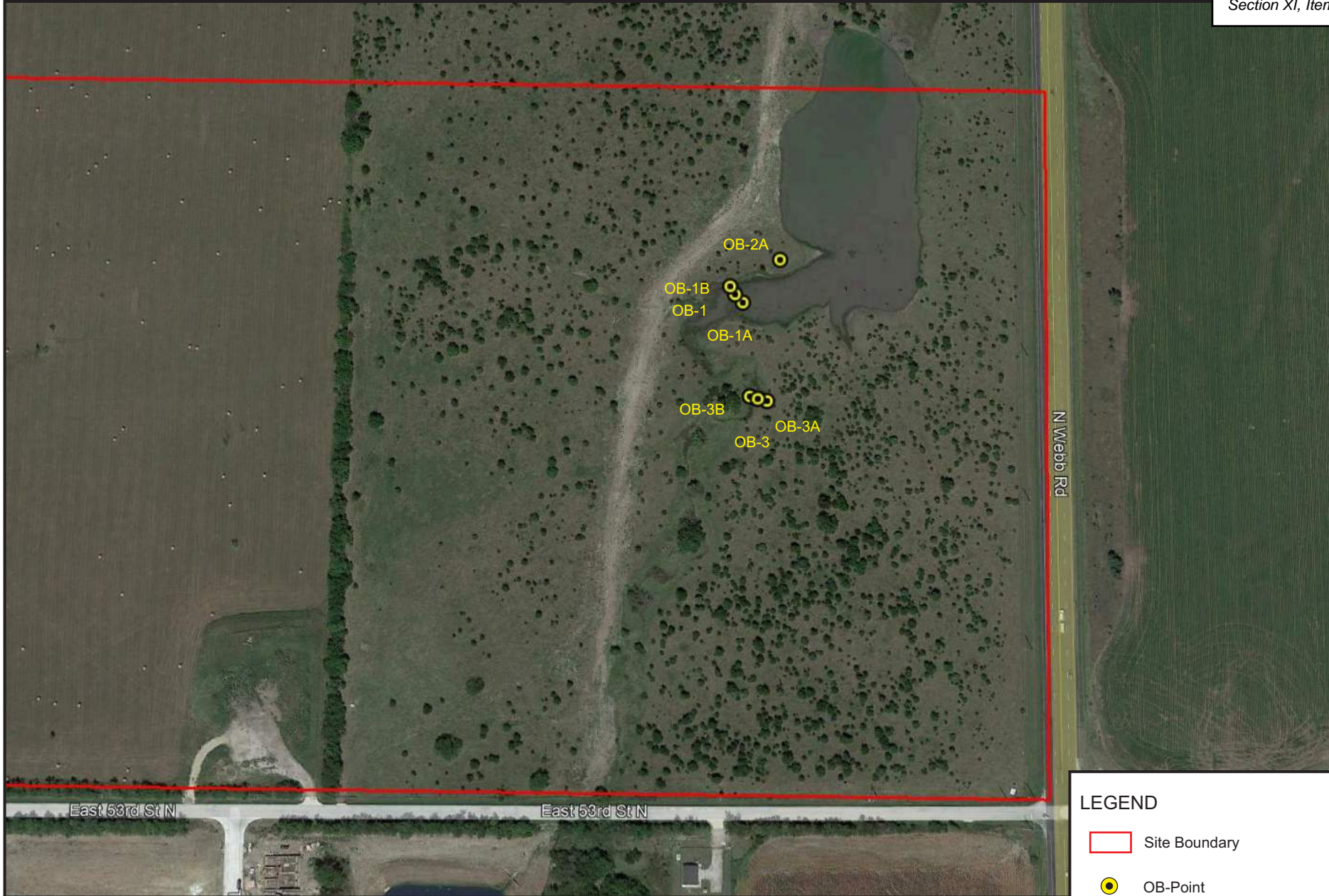
Cedar Pass
E. 53rd Street North and N. Webb Road
Bel Aire, Kansas



GSI PROJECT NO.:
22W2004.01

DATE CREATED:
08.17.2022

BY:
R.MONTEZ



LEGEND

-  Site Boundary
-  OB-Point
-  Roads

BOUNDARIES ARE APPROXIMATE

FIGURE 3
Site OB-Point Locations



Cedar Pass
E. 53rd Street North and N. Webb Road
Bel Aire, Kansas





GSI PROJECT NO.:
22W2004.01

DATE CREATED:
08.17.2022


BY:
R.MONTEZ





	FIGURE: 4.0	FIGURE NAME: Site WOTUS Map	<div>Scale: 1" = 100'</div> <div>0 50 100 Feet</div> <div></div>
	Date: 8/17/2022	PROJECT NUMBER: 22W2004.01-Cedar Pass Addition	
	DRAWN BY:PM	PROJECT MANAGER: S. Corns	


Cedar Pass Addition
E. 53rd St. N
Bel Aire, Kansas 67226


Legend

 Waypoints

 OB Points

 Wetland

 Pond

 Wetland

ALL LOCATIONS AND BOUNDARIES ARE APPROXIMATE

APPENDIX B

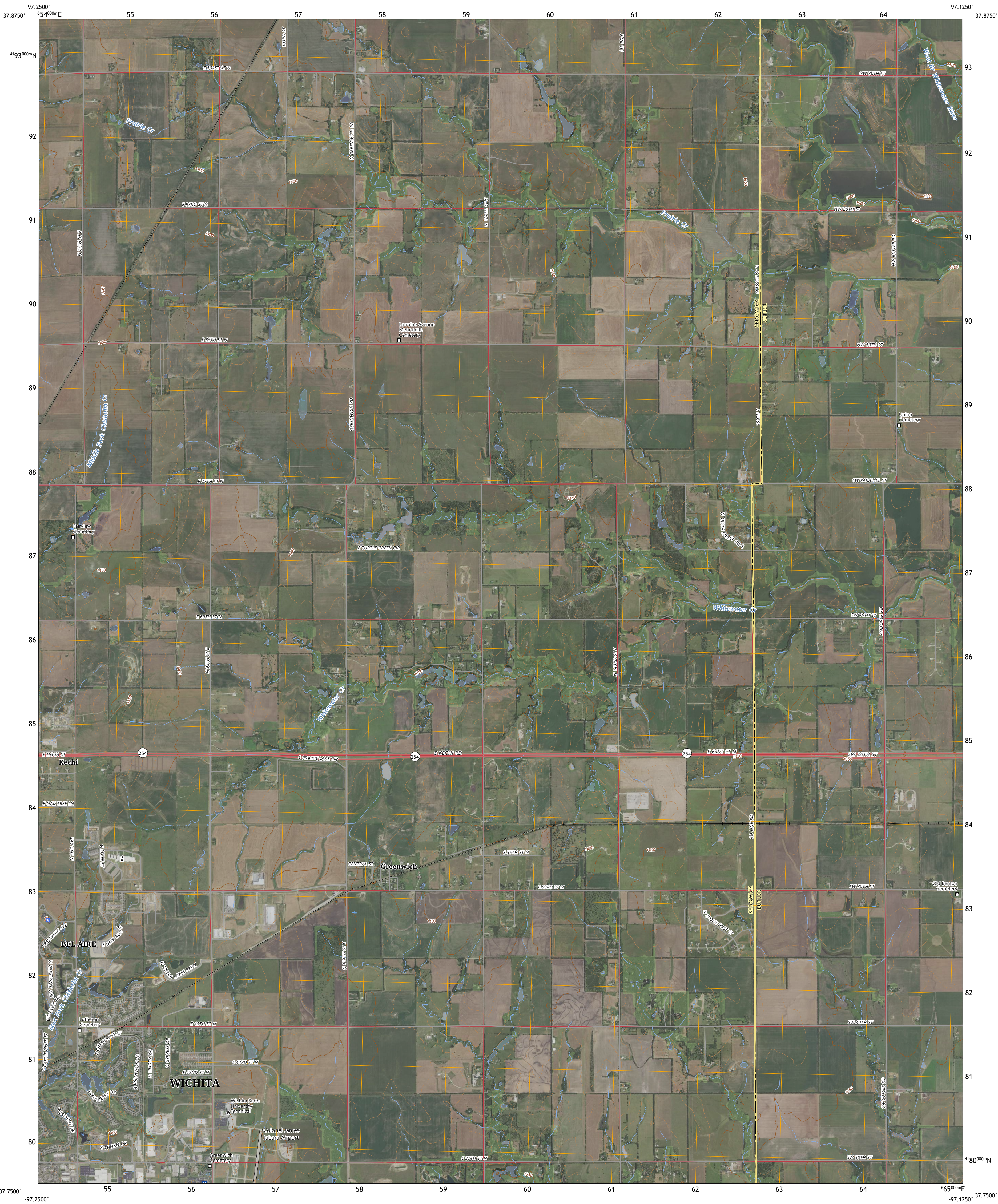
USGS Topographic Map



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



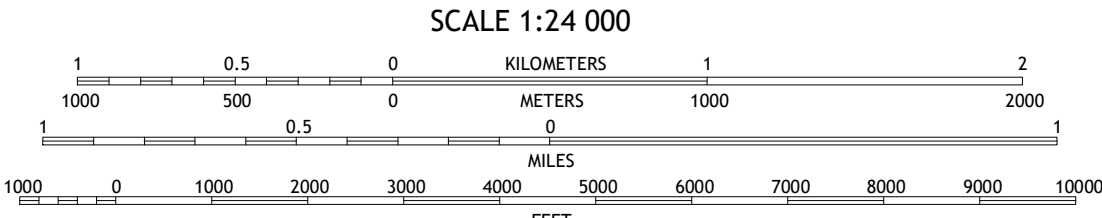
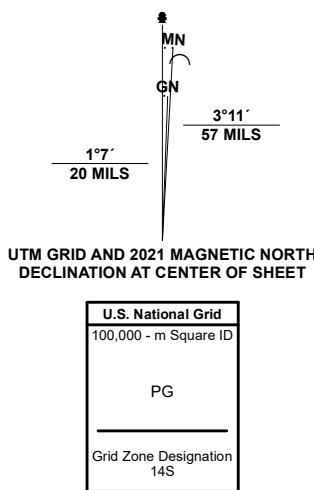
GREENWICH QUADRANGLE
KANSAS
7.5-MINUTE TOPO



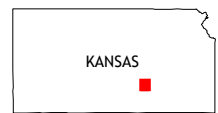
Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 14S.
Data is provided by The National Map (TNM), is the best available at the time of map
generation, and includes data content from supporting themes of Elevation,
Hydrography, Geographic Names, Boundaries, Transportation, Structures, Land Cover,
and Orthoimagery. Refer to associated Federal Geographic Data Committee (FGDC)
Metadata for additional source data information.

This map is not a legal document. Boundaries may be generalized for this map scale.
Private lands within government reservations may not be shown. Obtain permission
before entering private lands. Temporal changes may have occurred since these data
were collected and some data may no longer represent actual surface conditions.

Learn About The National Map: <https://nationalmap.gov>

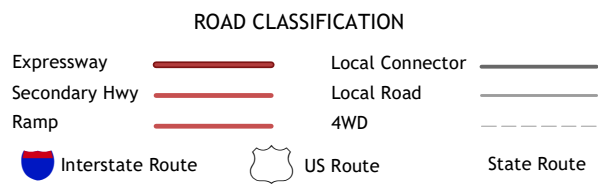


CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
CONTOUR SMOOTHNESS = Medium



QUADRANGLE LOCATION		
Sedgwick NE	Whitewater	Potwin
Valley Center	Greenwich	Benton
Wichita East	Andover	Santa Fe Lake

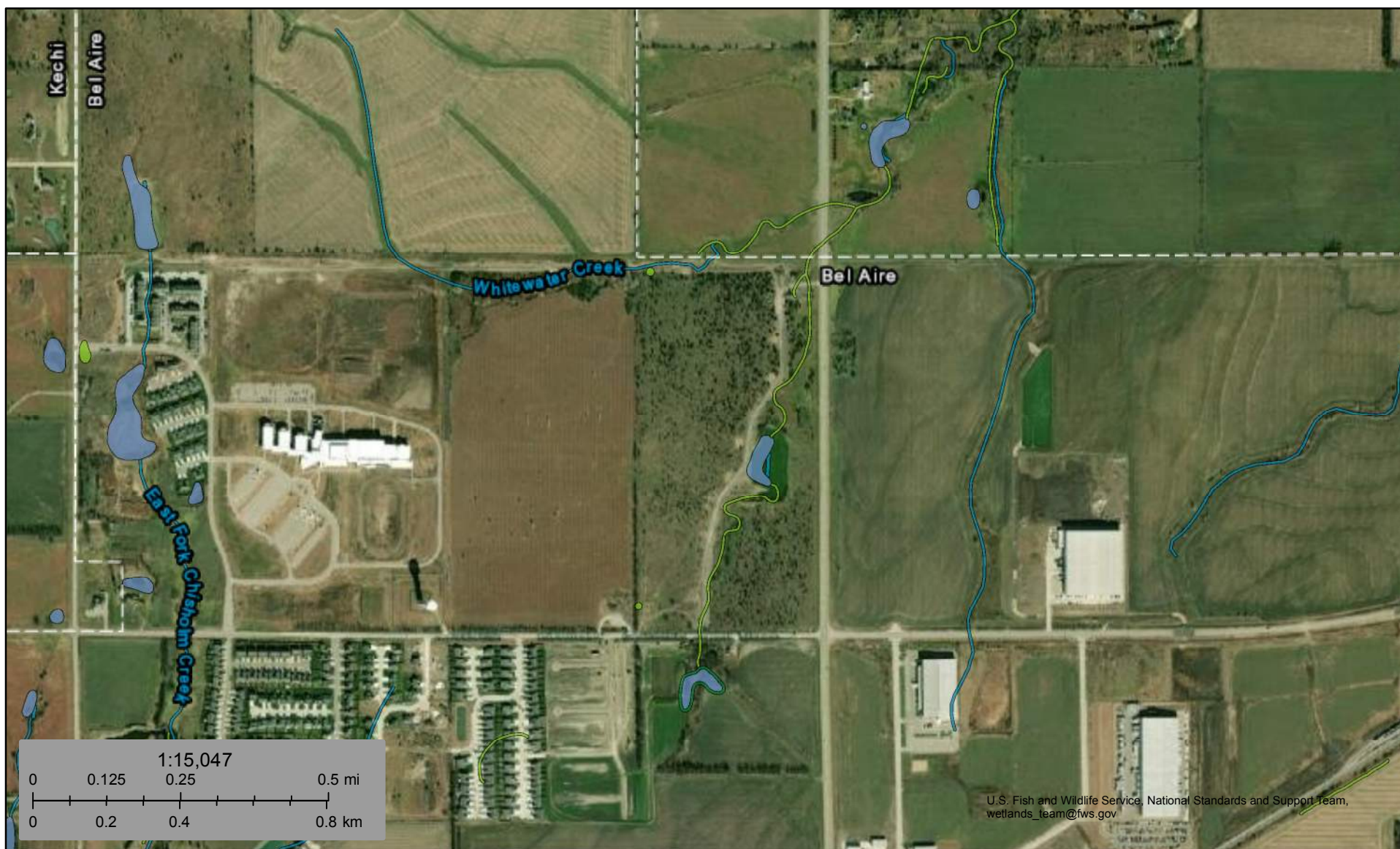
ADJOINING QUADRANGLES



GREENWICH, KS
2022

APPENDIX C

National Wetland Inventory Map



July 19, 2022

Wetlands

- | | | |
|--------------------------------|-----------------------------------|----------|
| Estuarine and Marine Deepwater | Freshwater Emergent Wetland | Lake |
| Estuarine and Marine Wetland | Freshwater Forested/Shrub Wetland | Other |
| | Freshwater Pond | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

APPENDIX D

FEMA FIRM Map



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTP://MSC.FEMA.GOV](http://msc.fema.gov)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
OTHER AREAS		Area with Reduced Flood Risk due to Levee See Notes. Zone X
		Areas Determined to be Outside the 0.2% Annual Chance Floodplain Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, Control Structure, or Storm Sewer
OTHER FEATURES		Accredited or Provisionally Accredited Levee, Dike, or Floodwall
		Non-accredited Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation (BFE) 18.2 17.5
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

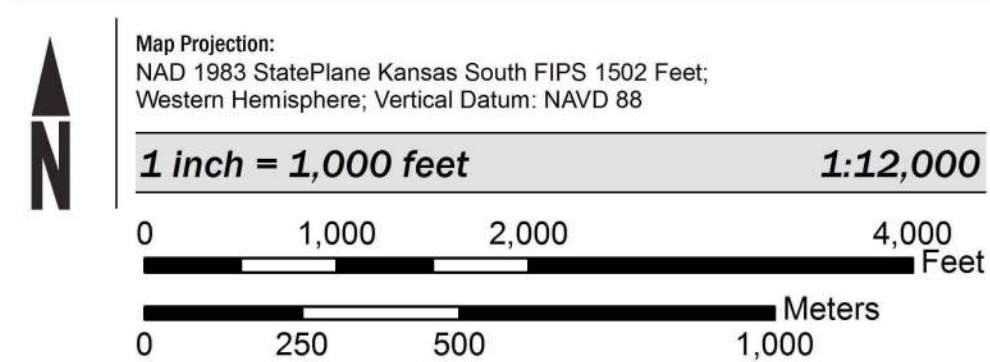
Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction. To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

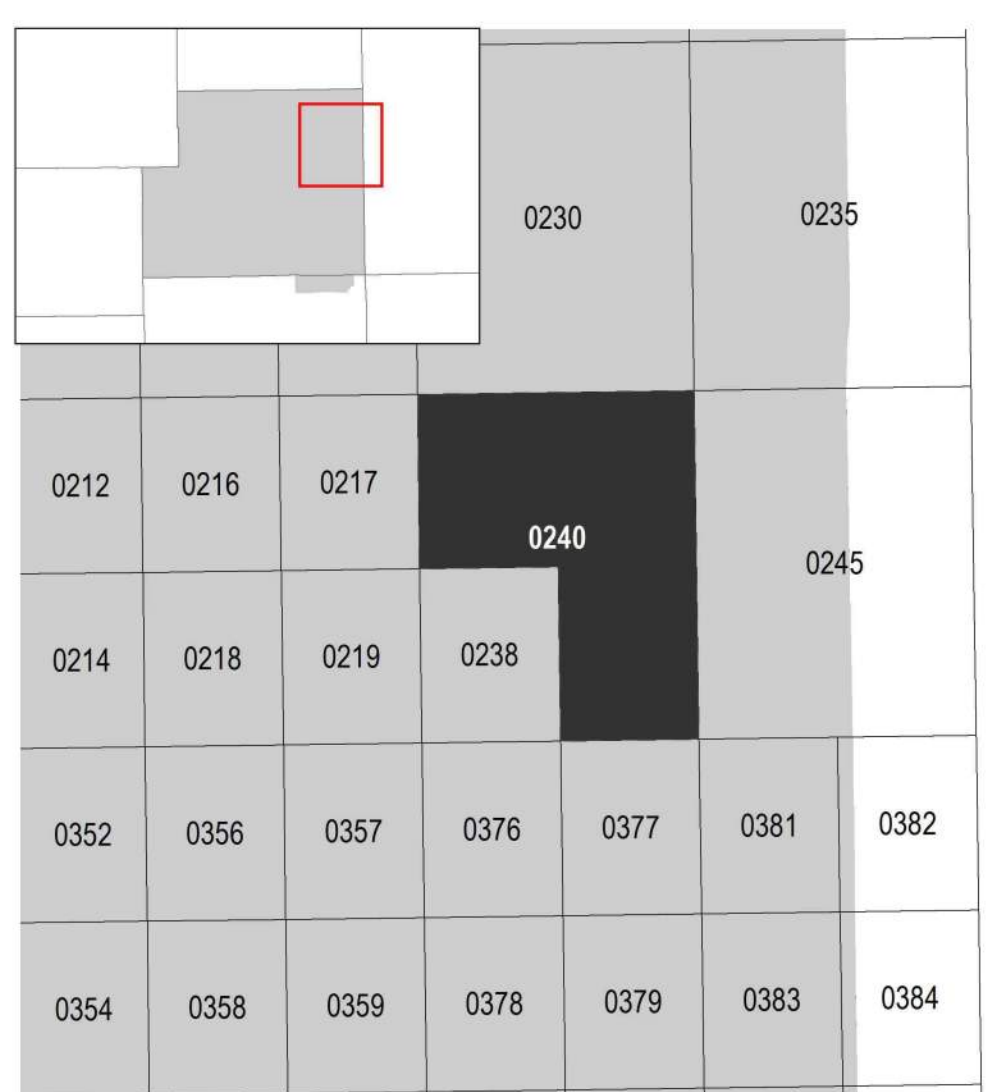
Base map information shown on this FIRM was provided in digital format by Sedgwick County Division of Information & Operations/GIS. This information was derived from digital orthophotography at 6-inch resolution for Sedgwick County from photography dated 2014.

ACCREDITED LEEVE NOTES TO USERS: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA website at <http://www.fema.gov/business/nfp/index.shtml>.

SCALE



PANEL LOCATOR



* PANEL NOT PRINTED

NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP

SEDGWICK COUNTY,
KANSAS
and Incorporated Areas
PANEL 240 of 690



Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
BEL AIRE, CITY OF	200864	0240	G
KECHI, CITY OF	200429	0240	G
SEDGWICK COUNTY	200321	0240	G
WICHITA, CITY OF	200328	0240	G

VERSION NUMBER
2.2.0

MAP NUMBER
20173C0240G

MAP REVISED
DECEMBER 22, 201

APPENDIX E

NRCS Soil Survey

Sedgwick County, Kansas

3858—Goessel silty clay, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2tpvy

Elevation: 1,310 to 1,640 feet

Mean annual precipitation: 27 to 34 inches

Mean annual air temperature: 54 to 57 degrees F

Frost-free period: 165 to 200 days

Farmland classification: All areas are prime farmland

Map Unit Composition

Goessel and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Goessel

Setting

Landform: Paleoterraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Clayey alluvium over loamy alluvium

Typical profile

Ap - 0 to 6 inches: silty clay

A - 6 to 13 inches: silty clay

Bss - 13 to 31 inches: silty clay

BC - 31 to 51 inches: silty clay

2C - 51 to 79 inches: clay loam

Properties and qualities

Slope: 1 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: About 24 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 3 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 2.0

Available water supply, 0 to 60 inches: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: D
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Minor Components

Irwin

Percent of map unit: 5 percent
Landform: Hillslopes
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Ladysmith

Percent of map unit: 5 percent
Landform: Interfluves
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Rosehill

Percent of map unit: 4 percent
Landform: Hillslopes
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Side slope
Down-slope shape: Convex
Across-slope shape: Linear
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Aquolls, occasionally ponded

Percent of map unit: 1 percent
Landform: Depressions
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: R074XY132KS - Subirrigated
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Sedgwick County, Kansas
Survey Area Data: Version 17, Sep 14, 2021

Sedgwick County, Kansas

3911—Rosehill silty clay, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2tt6d

Elevation: 1,310 to 1,640 feet

Mean annual precipitation: 27 to 34 inches

Mean annual air temperature: 54 to 57 degrees F

Frost-free period: 165 to 200 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Rosehill and similar soils: 90 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rosehill

Setting

Landform: Hillslopes

Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Residuum weathered from clayey shale

Typical profile

Ap - 0 to 9 inches: silty clay

BA - 9 to 18 inches: silty clay

Bw - 18 to 29 inches: silty clay

C - 29 to 36 inches: silty clay

Cr - 36 to 79 inches: bedrock

Properties and qualities

Slope: 1 to 3 percent

Depth to restrictive feature: 32 to 39 inches to paralithic bedrock

Drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Very low
(0.00 to 0.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0
mmhos/cm)

Sodium adsorption ratio, maximum: 2.0

Available water supply, 0 to 60 inches: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: D
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Minor Components

Goessel

Percent of map unit: 5 percent
Landform: Paleoterraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Irwin

Percent of map unit: 4 percent
Landform: Interfluves
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Ecological site: R076XY107KS - Clay Hills
Hydric soil rating: No

Aquolls, occasionally ponded

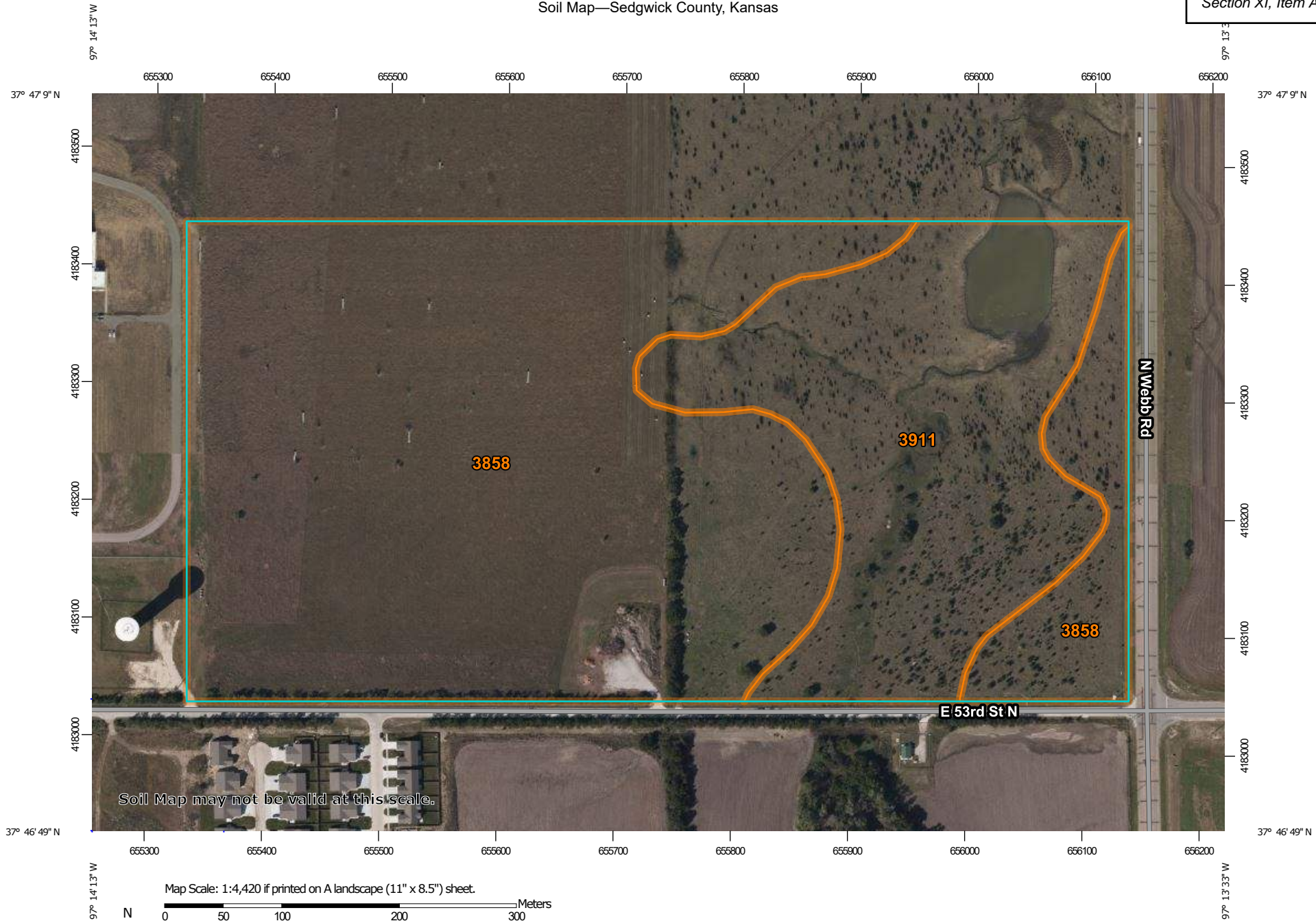
Percent of map unit: 1 percent
Landform: Depressions
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: R074XY132KS - Subirrigated
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Sedgwick County, Kansas
Survey Area Data: Version 17, Sep 14, 2021

Soil Map—Sedgwick County, Kansas

Section XI, Item A.



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

8/5/2022
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils



Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sedgwick County, Kansas

Survey Area Data: Version 17, Sep 14, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 23, 2018—Nov 29, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3858	Goessel silty clay, 1 to 3 percent slopes	57.7	70.9%
3911	Rosehill silty clay, 1 to 3 percent slopes	23.6	29.1%
Totals for Area of Interest		81.3	100.0%

APPENDIX F

USACE Great Plains Region Wetland Determination forms

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: OB-1
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): Concave Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.7839123 Long: -97.228846 Datum:
 Soil Map Unit Name: Bonhill silty clay NWI classification: Fresh water Emergent U1
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil , or Hydrology 2 significantly disturbed? Are "Normal Circumstances" present? Yes 2 No
 Are Vegetation No, Soil , or Hydrology 2 naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>✓</u>	No <u></u>	Is the Sampled Area within a Wetland?	Yes <u>✓</u>	No <u></u>
Hydric Soil Present?	Yes <u>✓</u>	No <u></u>			
Wetland Hydrology Present?	Yes <u>✓</u>	No <u></u>			
Remarks:					

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>Salix nigra</u>	<u>20</u>	<u>YES</u>	<u>FACW</u>	
2. <u></u>				Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. <u></u>				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. <u></u>				
Sapling/Shrub Stratum (Plot size: <u>15'</u>) <u>20</u> = Total Cover				Prevalence Index worksheet:
1. <u></u>				Total % Cover of: <u></u> Multiply by: <u></u>
2. <u></u>				OBL species <u></u> x 1 = <u></u>
3. <u></u>				FACW species <u></u> x 2 = <u></u>
4. <u></u>				FAC species <u></u> x 3 = <u></u>
5. <u></u>				FACU species <u></u> x 4 = <u></u>
Herb Stratum (Plot size: <u>5'</u>) <u>100</u> = Total Cover				UPL species <u></u> x 5 = <u></u>
1. <u>Sedge spp. Carex vulpincida</u>	<u>50</u>	<u>yes</u>	<u>FACW</u>	Column Totals: <u></u> (A) <u></u> (B)
2. <u>Iva annua</u>	<u>50</u>	<u>yes</u>	<u>FAC</u>	Prevalence Index = B/A = <u></u>
3. <u></u>				
4. <u></u>				
5. <u></u>				
6. <u></u>				
7. <u></u>				
8. <u></u>				
9. <u></u>				
10. <u></u>				
Woody Vine Stratum (Plot size: <u></u>) <u>100</u> = Total Cover				Hydrophytic Vegetation Indicators:
1. <u></u>				<u>✓</u> 1 - Rapid Test for Hydrophytic Vegetation
2. <u></u>				<u></u> 2 - Dominance Test is >50%
% Bare Ground in Herb Stratum <u></u> = Total Cover				<u></u> 3 - Prevalence Index is ≤3.0 ¹
				<u></u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
				<u></u> Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
				Hydrophytic Vegetation Present? Yes <u>✓</u> No <u></u>
Remarks: <u>Sedge and Swamp weed fill the concave cracked silt</u>				

SOIL

Sampling Point: 015-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-1	10YR 4/1	100	- (M. & S)	-			CL	
1-16	10YR 4/1	60	5YR 8 (Moist)	40			CL	Redox concentration discoloration
1-16	10YR 3/1	60	5YR 8 (Moist)	40			CL	Redox concentration

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- | | | |
|--------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) | <input type="checkbox"/> 1 cm Muck (A9) (LRR I, J) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) | <input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) | <input type="checkbox"/> Dark Surface (S7) (LRR G) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | <input type="checkbox"/> (LRR H outside of MLRA 72 & 73) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) | <input type="checkbox"/> Reduced Vertic (F18) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input checked="" type="checkbox"/> Redox Dark Surface (F6) | <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) | ³ Indicators of hydrophytic vegetation and |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | <input type="checkbox"/> (MLRA 72 & 73 of LRR H) | wetland hydrology must be present, |
| | | unless disturbed or problematic. |

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks:

Redox readily visible, in dime sized concentrations

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (minimum of two required)

- | | | |
|--------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) | <input checked="" type="checkbox"/> Surface Soil Cracks (B6) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) | <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) | <input checked="" type="checkbox"/> Drainage Patterns (B10) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) | <input type="checkbox"/> (where tilled) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> (where not tilled) | <input checked="" type="checkbox"/> Crayfish Burrows (C8) |
| <input checked="" type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Presence of Reduced Iron (C4) | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) | <input type="checkbox"/> Geomorphic Position (D2) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks) | <input type="checkbox"/> FAC-Neutral Test (D5) |
| <input type="checkbox"/> Water-Stained Leaves (B9) | | <input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F) |

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____Water Table Present? Yes _____ No ✓ Depth (inches): _____Saturation Present? Yes _____ No ✓ Depth (inches): _____
(includes capillary fringe)Wetland Hydrology Present? Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Minimal surface water puddled in areas. One directly within OB point.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: OB-1B
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): _____ Slope (%): 3-5
 Subregion (LRR): Great Plains - H Lat: -37.784005 Long: -97.228878 Datum: _____
 Soil Map Unit Name: Rosehill silty clay NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation No, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation No, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks:		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>25%</u> (A/B)
1. <u>Juniperus virginiana</u>	<u>25</u>	<u>Yes</u>	<u>UPL</u>	
2. <u>Maclura pomifera</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>	
3. <u>Salix nigra</u>	<u>5</u>		<u>FACW</u>	
4. _____				
<u>40</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u>)				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
_____ = Total Cover				
Herb Stratum (Plot size: <u>5'</u>)				Hydrophytic Vegetation Indicators: 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 ¹ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Iva annua</u>	<u>40</u>	<u>Yes</u>	<u>FAC</u>	
2. <u>Polygonum aviculare</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>	
3. <u>Rumex crispus</u>	<u>10</u>	<u>No</u>	<u>FAC</u>	
4. <u>Paspalum smithii</u>	<u>10</u>	<u>No</u>	<u>FACU</u>	
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
<u>80</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>5'</u>)				Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. _____				
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

SOIL

Sampling Point: 013 113

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)							
Depth (inches)	Matrix		Redox Features				
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²	
O-10	10YR 4/1	100					SC
Ce-14	10YR 3/1	100					SC

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1) ☐ Sandy Gleyed Matrix (S4)
- ☐ Histic Epipedon (A2) ☐ Sandy Redox (S5)
- ☐ Black Histic (A3) ☐ Stripped Matrix (S6)
- ☐ Hydrogen Sulfide (A4) ☐ Loamy Mucky Mineral (F1)
- ☐ Stratified Layers (A5) (**LRR F**) ☐ Loamy Gleyed Matrix (F2)
- ☐ 1 cm Muck (A9) (**LRR F, G, H**) ☐ Depleted Matrix (F3)
- ☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12) ☐ Redox Dark Surface (F6)
- ☐ Sandy Mucky Mineral (S1) ☐ Depleted Dark Surface (F7)
- ☐ 2.5 cm Mucky Peat or Peat (S2) (**LRR G, H**) ☐ Redox Depressions (F8)
- ☐ 5 cm Mucky Peat or Peat (S3) (**LRR F**) ☐ High Plains Depressions (F16)

(MLRA 72 & 73 of LRR H)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (**LRR I, J**)
- ☐ Coast Prairie Redox (A16) (**LRR F, G, H**)
- ☐ Dark Surface (S7) (**LRR G**)
- ☐ High Plains Depressions (F16)
- (LRR H outside of MLRA 72 & 73)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks: Silty clay hard dry soils

HYDROLOGY

Wetland Hydrology Indicators:		
<u>Primary Indicators (minimum of one required; check all that apply)</u>		<u>Secondary Indicators (minimum of two required)</u>
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> (where tilled)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> (where not tilled)	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F)
Field Observations:		
Surface Water Present?	Yes _____ No _____ Depth (inches): _____	
Water Table Present?	Yes _____ No _____ Depth (inches): _____	
Saturation Present?	Yes _____ No _____ Depth (inches): _____	
(includes capillary fringe)		
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks: <i>No hydrology observed</i>		Wetland Hydrology Present? Yes _____ No <u><i>P</i></u>

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: 01-1A
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): concave Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.783920 Long: -97.228755 Datum: _____
 Soil Map Unit Name: Roschell silty clay NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation NO, Soil _____, or Hydrology 1 significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation NO, Soil _____, or Hydrology 1 naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes _____ No <u>✓</u>
Hydric Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks:		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75</u> (A/B)
1. <u>Juniperus virginiana</u>	<u>30</u>	<u>YES</u>	<u>UPL</u>	
2. <u>Salix nigra</u>	<u>10</u>	<u>YES</u>	<u>FACW</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
_____ = Total Cover				
Herb Stratum (Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Sagittaria str. Cavendishii</u>	<u>50</u>	<u>YES</u>	<u>FACW</u>	
2. <u>Iva annua</u>	<u>40</u>	<u>YES</u>	<u>FAC</u>	
3. <u>Ambrosia psilostachya</u>	<u>5</u>	<u>NO</u>	<u>FACU</u>	
4. <u>Euphorbia marginata</u>	<u>5</u>	<u>NO</u>	<u>FACU</u>	
5. <u>Polygonum aviculare</u>	<u>3</u>	<u>NO</u>	<u>FACU</u>	
6. <u>Rumex crispus</u>	<u>3</u>	<u>NO</u>	<u>FAC</u>	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
<u>100</u> = Total Cover				
Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes <u>✓</u> No _____
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

SOIL

Sampling Point: 015-1A

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 4/1	100	—	—	—	—	—	—
6-14	10YR 3/1	100	—	—	—	—	—	—

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- | | | |
|--------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) | <input type="checkbox"/> 1 cm Muck (A9) (LRR I, J) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) | <input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) | <input type="checkbox"/> Dark Surface (S7) (LRR G) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | <input type="checkbox"/> (LRR H outside of MLRA 72 & 73) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) | <input type="checkbox"/> Reduced Vertic (F18) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) | <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) | ³ Indicators of hydrophytic vegetation and |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | <input type="checkbox"/> (MLRA 72 & 73 of LRR H) | wetland hydrology must be present, |
| | | unless disturbed or problematic. |

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ☒Remarks: *No redox or hydric soil indicators present. Ground elevated terrace from the concave wetland below.*

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- | | |
|--------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> (where not tilled) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Surface Soil Cracks (B6) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) |
| <input type="checkbox"/> Drainage Patterns (B10) |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> (where tilled) |
| <input type="checkbox"/> Crayfish Burrows (C8) |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Geomorphic Position (D2) |
| <input type="checkbox"/> FAC-Neutral Test (D5) |
| <input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F) |

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? Yes _____ No _____ Depth (inches): _____
(includes capillary fringe)Wetland Hydrology Present? Yes _____ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: *No wetland hydrologic indicators present.*

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: OB-3B
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): Concave Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.783431 Long: -97.228746 Datum: _____
 Soil Map Unit Name: Posehill silty clay NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation No, Soil No, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks:		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
1. _____				
2. _____				
3. _____				
4. _____				
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
= Total Cover				
Herb Stratum (Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Bromus inermis</u>	<u>25</u>	<u>YES</u>	<u>UPL</u>	
2. <u>Sporobolus compositus heterolepis</u>	<u>25</u>	<u>YES</u>	<u>UPL</u>	
3. <u>Bouteloua curtipendula</u>	<u>25</u>	<u>YES</u>	<u>UPL</u>	
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
= Total Cover				
Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. _____				
2. _____				
= Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks: <u>Upland plants</u>				

SOIL

Sampling Point: 06-513

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)							
Depth (inches)	Matrix		Redox Features			Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹		
0-6	10YR 4/1	100	DRY				DRY AGG LIKE
6-16	10YR 3/1	100	L				Soil

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 1 cm Muck (A9) (LRR I, J)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Dark Surface (S7) (LRR G)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> High Plains Depressions (F16)
<input type="checkbox"/> Stratified Layers (A5) (LRR F)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> (LRR H outside of MLRA 72 & 73)
<input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Reduced Vertic (F18)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F7)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Depressions (F8)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)	<input type="checkbox"/> High Plains Depressions (F16)	³ Indicators of hydrophytic vegetation and
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F)	<input type="checkbox"/> (MLRA 72 & 73 of LRR H)	wetland hydrology must be present,
		unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks: _____

HYDROLOGY

Wetland Hydrology Indicators:		
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> (where tilled)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> (where not tilled)	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F)
Field Observations:		Wetland Hydrology Present? Yes _____ No <u>X</u>
Surface Water Present? Yes _____ No _____ Depth (inches): _____	Water Table Present? Yes _____ No _____ Depth (inches): _____	
Saturation Present? Yes _____ No _____ Depth (inches): _____ (includes capillary fringe)		
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks: _____		

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: 08-31A
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): _____ Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.783409 Long: -97.228035 Datum: _____
 Soil Map Unit Name: Roschell silty clay NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation N6, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation No, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>✓</u>
Hydric Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks:		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>35'</u>)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
_____ = Total Cover				
Herb Stratum (Plot size: <u>5'</u>)				
1. <u>Paspalum smithii</u>	<u>50</u>	<u>YES</u>	<u>FACU</u>	
2. <u>Bouteloua curtipendula</u>	<u>20</u>	<u>YES</u>	<u>FACU</u>	
3. <u>Panicum capillare</u>	<u>10</u>			
4. <u>Vernonia fasciculata</u>	<u>10</u>		<u>FAC</u>	
5. <u>Symphoricarpos orbiculatus</u>	<u>10</u>		<u>FACU</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
_____ = Total Cover				
Woody Vine Stratum (Plot size: <u>5'</u>)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks: Upland gradient as it transitions out of the cracked concave wetland.

SOIL

Sampling Point: 06-7A

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-12	10YR 4/1	100	(pm)	0			SC	Dry upland soil
12-144	10YR 3/1	100	(dry)	0			SC	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- | | | |
|--------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) | <input type="checkbox"/> 1 cm Muck (A9) (LRR I, J) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) | <input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) | <input type="checkbox"/> Dark Surface (S7) (LRR G) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | <input type="checkbox"/> (LRR H outside of MLRA 72 & 73) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) | <input type="checkbox"/> Reduced Vertic (F18) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) | <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) | ³ Indicators of hydrophytic vegetation and |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | <input type="checkbox"/> (MLRA 72 & 73 of LRR H) | wetland hydrology must be present, |
| | | unless disturbed or problematic. |

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ☒Remarks: No hydric soil indicators present

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (minimum of two required)

- | | | |
|--------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) | <input type="checkbox"/> Surface Soil Cracks (B6) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) | <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) | <input type="checkbox"/> Drainage Patterns (B10) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) | <input type="checkbox"/> (where tilled) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> (where not tilled) | <input type="checkbox"/> Crayfish Burrows (C8) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Presence of Reduced Iron (C4) | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) | <input type="checkbox"/> Geomorphic Position (D2) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks) | <input type="checkbox"/> FAC-Neutral Test (D5) |
| <input type="checkbox"/> Water-Stained Leaves (B9) | | <input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F) |

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? Yes _____ No _____ Depth (inches): _____
(includes capillary fringe)Wetland Hydrology Present? Yes _____ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Soils consistent with surrounding upland.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: OB-3
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hill slopes Local relief (concave, convex, none): Concave Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.783420 Long: -97.228695 Datum:
 Soil Map Unit Name: Hill slopes Rosehill silty clay NWI classification: Fresh water Emergent WL
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil , or Hydrology X significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No
 Are Vegetation No, Soil , or Hydrology X naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No <u></u>	Is the Sampled Area within a Wetland?	Yes <u>✓</u>	No <u></u>
Hydric Soil Present?	Yes <u>X</u>	No <u></u>			
Wetland Hydrology Present?	Yes <u>X</u>	No <u></u>			
Remarks: <u>Approximately 5' wide linear wetland. Upland trees are dying, unhealthy. The hydrology and soil conditions do not support the trees well.</u>					

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>Juniperus virginiana</u>	<u>35</u>	<u>YES</u>	<u>UPL</u>	
2. <u>Morus alba</u>	<u>5</u>		<u>FACU</u>	Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. <u></u>				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66%</u> (A/B)
4. <u></u>				
<u>40</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u>)				Prevalence Index worksheet:
1. <u></u>				
2. <u></u>				OBL species <u></u> x 1 = <u></u>
3. <u></u>				FACW species <u></u> x 2 = <u></u>
4. <u></u>				FAC species <u></u> x 3 = <u></u>
5. <u></u>				FACU species <u></u> x 4 = <u></u>
<u></u> = Total Cover				UPL species <u></u> x 5 = <u></u>
				Column Totals: <u></u> (A) <u></u> (B)
				Prevalence Index = B/A = <u></u>
Herb Stratum (Plot size: <u>5'</u>)				Hydrophytic Vegetation Indicators:
1. <u>Carex vulpinoidea</u>	<u>70</u>	<u>YES</u>	<u>FACW</u>	
2. <u>Iva annua</u>	<u>20</u>	<u>YES</u>	<u>FAC</u>	<u>✓</u> 2 - Dominance Test is >50%
3. <u>Rumex crispus</u>	<u>5</u>	<u>NO</u>	<u>FAC</u>	<u></u> 3 - Prevalence Index is ≤3.0 ¹
4. <u></u>				<u></u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
5. <u></u>				<u></u> Problematic Hydrophytic Vegetation ¹ (Explain)
6. <u></u>				
7. <u></u>				
8. <u></u>				
9. <u></u>				
10. <u></u>				
<u>95</u> = Total Cover				¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: <u>5'</u>)				Hydrophytic Vegetation Present? Yes <u>✓</u> No <u></u>
1. <u></u>				
2. <u></u>				
<u></u> = Total Cover				
% Bare Ground in Herb Stratum <u></u>				
Remarks: <u></u>				

SOIL

Sampling Point: 015-5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)							
Depth (inches)	Matrix		Redox Features			Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹		
0-1"	10YR 4/1	100				CL	Hard thin surface
1-16"	10YR 3/1	55	5YR 8	45		CL	Redox concentration

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 1 cm Muck (A9) (LRR I, J)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Dark Surface (S7) (LRR G)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> High Plains Depressions (F16)
<input type="checkbox"/> Stratified Layers (A5) (LRR F)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> (LRR H outside of MLRA 72 & 73)
<input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Reduced Vertic (F18)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F7)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Depressions (F8)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)	<input type="checkbox"/> High Plains Depressions (F16)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F)	<input type="checkbox"/> (MLRA 72 & 73 of LRR H)	

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No _____

Remarks: Thin crusty layer 0-1" on concave surface. Deep cracks in soil. Redox was very apparent.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Invertebrates (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> (where not tilled)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Water-Stained Leaves (B9)	

Secondary Indicators (minimum of two required)

<input checked="" type="checkbox"/> Surface Soil Cracks (B6)
<input checked="" type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) (where tilled)
<input checked="" type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F)

Field Observations:

Surface Water Present? Yes _____ No ☒ Depth (inches): _____

Water Table Present? Yes _____ No ☒ Depth (inches): _____

Saturation Present? Yes _____ No ☒ Depth (inches): _____

(includes capillary fringe)

Wetland Hydrology Present? Yes ☒ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Deep surface crack on a concave surface were observed. A few colony figs burrows were observed within the concave surface.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Cedar Pass Addition City/County: Bel Aire / Sedgwick Sampling Date: 8/5/2022
 Applicant/Owner: Garver State: KS Sampling Point: OB-2A
 Investigator(s): Sean Corns & Ray Montez Section, Township, Range: S17-T26S-R2E
 Landform (hillslope, terrace, etc.): Hillslopes Local relief (concave, convex, none): _____ Slope (%): 1-3
 Subregion (LRR): Great Plains - H Lat: 37.784146 Long: -97.228553 Datum: _____
 Soil Map Unit Name: Rosehill silty clay NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>✓</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	
Remarks: <u>The high water mark on the pond's edge was surveyed for purposes of delineation.</u>	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): _____ (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover	_____	_____	_____	
Sapling/Shrub Stratum (Plot size: <u>15'</u>)	_____	_____	_____	Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
Herb Stratum (Plot size: <u>5'</u>)	_____	_____	_____	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. <u>Ambrosia psilostachya</u>	<u>30</u>	<u>YES</u>	<u>FACU</u>	
2. <u>Euphorbia marginata</u>	<u>20</u>	<u>YES</u>	<u>FACU</u>	___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. <u>Paspalum smithii</u>	<u>30</u>	<u>YES</u>	<u>FACU</u>	
4. <u>Bouteloua curtipendula</u>	<u>5</u>	<u>NO</u>	<u>FACU</u>	
5. <u>Vernonia fasciculata</u>	<u>5</u>	<u>NO</u>	<u>FAC</u>	
6. <u>Asclepias syriaca</u>	<u>5</u>	<u>NO</u>	<u>UPL</u>	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
_____ = Total Cover	<u>95</u>	_____	_____	
Woody Vine Stratum (Plot size: _____)	_____	_____	_____	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
_____ = Total Cover	_____	_____	_____	
% Bare Ground in Herb Stratum _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
_____ = Total Cover	_____	_____	_____	

Remarks: Upland plants border the steep edges of the ponded area. The steep terrace encompasses the pond on all sides with the exception of the area to the south east where water enters the pond from the south.

SOIL

Sampling Point: 08-24

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 4/1	100						Upland soils / Ag
5-12	10YR 3/1	100						

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- | | |
|--------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | (MLRA 72 & 73 of LRR H) |

Indicators for Problematic Hydric Soils³:

- | |
|------------------------------------------------------------------|
| <input type="checkbox"/> 1 cm Muck (A9) (LRR I, J) |
| <input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H) |
| <input type="checkbox"/> Dark Surface (S7) (LRR G) |
| <input type="checkbox"/> High Plains Depressions (F16) |
| (LRR H outside of MLRA 72 & 73) |
| <input type="checkbox"/> Reduced Vertic (F18) |
| <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Other (Explain in Remarks) |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- | | |
|--------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | (where not tilled) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|---------------------------------------------------------------------|
| <input type="checkbox"/> Surface Soil Cracks (B6) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) |
| <input type="checkbox"/> Drainage Patterns (B10) |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| (where tilled) |
| <input type="checkbox"/> Crayfish Burrows (C8) |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Geomorphic Position (D2) |
| <input type="checkbox"/> FAC-Neutral Test (D5) |
| <input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F) |

Field Observations:

- | | | |
|------------------------|--------------------------------------------------|-----------------------|
| Surface Water Present? | Yes _____ No <input checked="" type="checkbox"/> | Depth (inches): _____ |
| Water Table Present? | Yes _____ No <input checked="" type="checkbox"/> | Depth (inches): _____ |
| Saturation Present? | Yes _____ No <input checked="" type="checkbox"/> | Depth (inches): _____ |
- (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Point taken outside the pond. Pond is lower than the elevated upland surrounding the pond wetland area. The pond end abruptly to steep banks that encompass it on all ends with the exception of the SW.

APPENDIX G

Site Photos

Date & Time: Fri. Aug 05, 2022, 13:33:00 CDT
Position: +037.783930° / -097.228816° (±15.8ft)
Altitude: 1392ft (±10.7ft)
Datum: WGS-84
Azimuth/Bearing: 325° N35W 5778mils True (±14°)
Elevation Angle: -15.3°
Horizon Angle: +00.2°
Zoom: 1.0X
Tick marks every 5°



Image 01

August 5, 2022

OB-1A

Sample point OB-1A

Notes:
Viewing northwest.

Date & Time: Fri. Aug 05, 2022, 13:33:18 CDT
Position: +037.783925° / -097.228849° (±15.7ft)
Altitude: 1394ft (±10.8ft)
Datum: WGS-84
Azimuth/Bearing: 066° N66E 1173mils True (±14°)
Elevation Angle: -04.4°
Horizon Angle: +02.1°
Zoom: 1.0X
Tick marks every 5°



Image 02

August 5, 2022

OB-1 A

View towards pond.

Notes:
Viewing northeast.



Image 03

August 5, 2022

OB-1 A

View south of pond.

Notes:
 Viewing southwest.



Image 04

March 24, 2020

Euphorbia marginata

Snow on the mountain.

Notes:
 Abundant plant site wide-Cattle normally will not graze snow-on-the-mountain due to its bitter taste but can become debilitated and even die after eating hay containing it.

Date & Time: Fri, Aug 05, 2022, 14:04:36 CDT
Position: +037.783966° / -097.228913° (±52.11)
Altitude: 1393ft (±2.1ft)
Datum: WGS-84
Azimuth/Bearing: 347° N13W 6169mils True (±13°)
Elevation Angle: -15.4°
Horizon Angle: +01.3°
Zoom: 1.0X
Tick marks every 5°



Image 05

August 5, 2022

OB-1B

Transition to upland.

Notes:
Viewing northwest.

Date & Time: Fri, Aug 05, 2022, 14:13:47 CDT
Position: +037.784414° / -097.228631° (±88.4ft)
Altitude: 1395ft (±21.8ft)
Datum: WGS-84
Azimuth/Bearing: 088° N88E 1564mils True (±13°)
Elevation Angle: -13.3°
Horizon Angle: +01.7°
Zoom: 1.0X
Tick marks every 5°



Image 06

August 5, 2022

OB-2A

View of Pond and
pond edge.

Notes:
Viewing northeast.

Date & Time: Fri, Aug 05, 2022, 14:13:56 CDT
Position: +037.784439° / -097.228572° (±26.8ft)
Altitude: 1396ft (±22.9ft)
Datum: WGS-84
Azimuth/Bearing: 162° S18E 2880mils True (±13°)
Elevation Angle: -07.2°
Horizon Angle: +02.8°
Zoom: 1.0X
Tick marks every 5"



Image 07

August 5, 2022

OB-2A

View of Pond and
pond edge.

Notes:
Viewing southeast.

Date & Time: Fri, Aug 05, 2022, 14:14:12 CDT
Position: +037.784400° / -097.228563° (±19.1ft)
Altitude: 1395ft (±17.3ft)
Datum: WGS-84
Azimuth/Bearing: 018° N18E 0820mils True (±13°)
Elevation Angle: -11.4°
Horizon Angle: +01.2°
Zoom: 1.0X
Tick marks every 5"



Image 08

August 5, 2022

OB-2A

View of Pond and
pond edge.

Notes:
Viewing northeast.



Image 09

August 5, 2022

OB-3

Wetland sample point.

Notes:
Viewing northwest.



Image 10

August 5, 2022

OB-3 A

View upland transition.

Notes:
Viewing southeast.

Date & Time: Fri, Aug 05, 2022, 14:46:57 CDT
Position: +037.783381° / -097.228682° (±88.2ft)
Altitude: 1397ft (±19.1ft)
Datum: WGS-84
Azimuth/Bearing: 122° S58E 21.69mils True (±13°)
Elevation Angle: -07.1°
Horizon Angle: +00.2°
Zoom: 1.0X
Tick marks every 5°



Image 11

August 5, 2022

OB-3 B

View upland.

Notes:
Viewing southeast

Date & Time: Fri, Aug 05, 2022, 15:10:27 CDT
Position: +037.781699° / -097.229500° (±34.6ft)
Altitude: 1400ft (±18.1ft)
Datum: WGS-84
Azimuth/Bearing: 011° N11E 01.96mils True (±12°)
Elevation Angle: -24.1°
Horizon Angle: +08.8°
Zoom: 1.0X
Tick marks every 5°



Image 12

August 5, 2022

Channelization

View concave
channelization.

Notes:
Viewing northeast.



Image 13

August 5, 2022

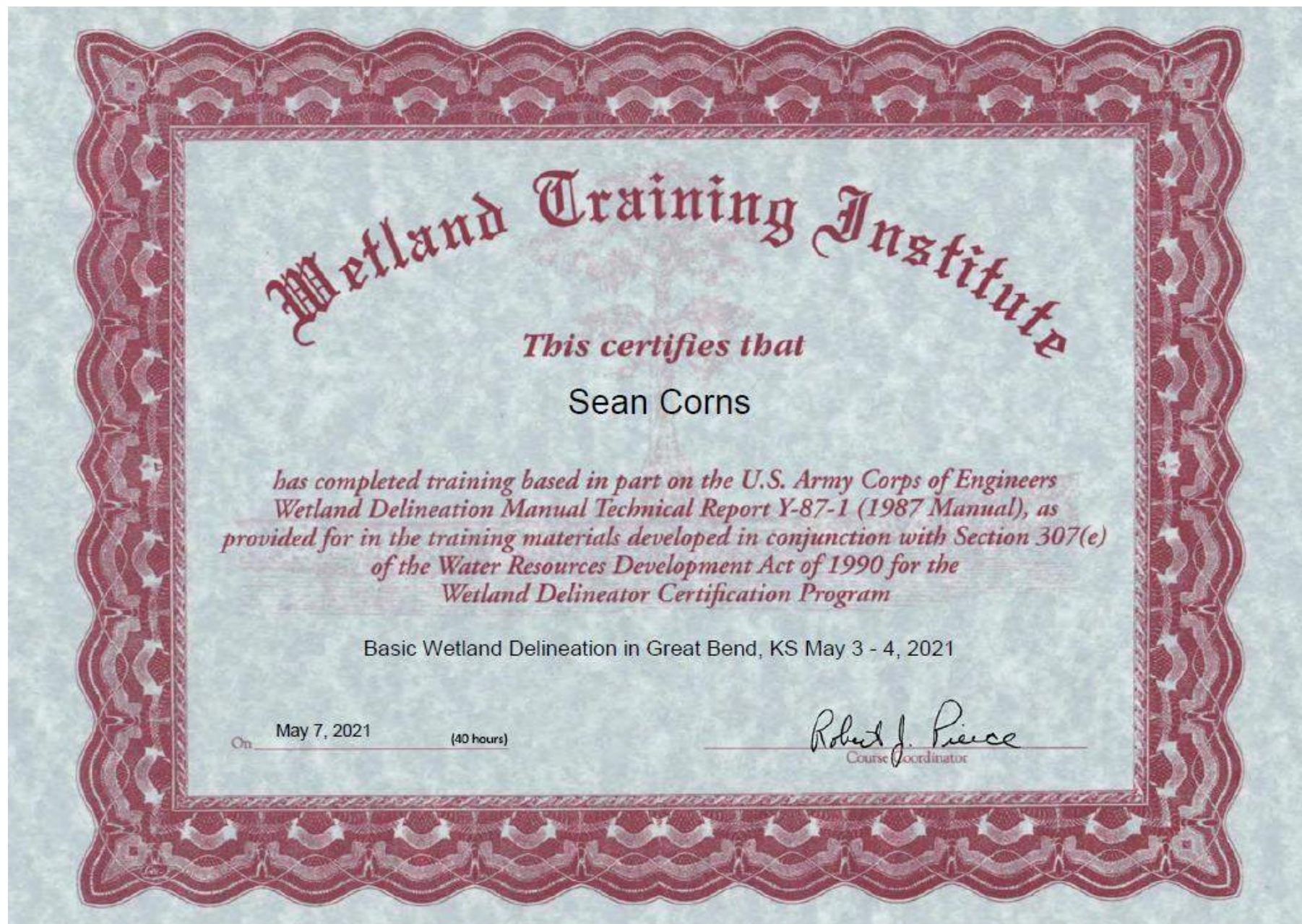
Channelization

View concave channelization and wetland supporting crayfish burrow.

Notes:
 Viewing ground.

APPENDIX H

Qualifications



U.S. Army Corps of Engineers (USACE)
NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)
33 CFR 330. The proponent agency is CECW-CO-R.

Section XI, Item A.
OMB No. 0710-0003
Expires: 02-28-2022

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.

Principal Purpose Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

Disclosure Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Eugene Middle - Last - Vitarelli Company - Northeast Developers, LLC Company Title - Managing Member E-mail Address - genev1@cox.net	8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>) First - Christopher Middle - Last - Bohm Company - Garver E-mail Address - cmbohm@garverusa.com
6. APPLICANT'S ADDRESS Address- 2026 South Triple Crown Street City - Wichita State - KS Zip - 67230 Country - USA	9. AGENT'S ADDRESS Address- 1995 Midfield Rd City - Wichita State - KS Zip - 67209 Country - USA
7. APPLICANT'S PHONE NOs. with AREA CODE a. Residence b. Business c. Fax d. Mobile (316) 807-6330	10. AGENT'S PHONE NOs. with AREA CODE a. Residence b. Business c. Fax d. Mobile (316) 221-3038 (316) 258-3237

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Garver to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

X  9/16/2022
SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)
Cedar Pass Addition

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

Section XI, Item A.

13. NAME OF WATERBODY, IF KNOWN (if applicable)

Unnamed tributary of Whitewater Creek

14. PROPOSED ACTIVITY STREET ADDRESS (if applicable)

East 53rd Street North & Webb Road

15. LOCATION OF PROPOSED ACTIVITY (see instructions)

Latitude	°N	Longitude	°W
37.781775	Center	-97.231897	Center

City:

Bel Aire

State: Zip:

KS 67226

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

State Tax Parcel ID

Municipality

Bel Aire

Section

17

Township

26 South

Range

02 East

17. DIRECTIONS TO THE SITE

From 53rd & Webb, go 1/4 mi west to a field entrance, then 700 ft north and 700 ft east.

18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE

NWP 29

19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY (see instructions)

Enlarging an existing pond using excavators and other large grading equipment. This will result in a loss of 0.32 acres of wetlands.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (see instructions)

Purchase 0.32 acres of wetland from a wetland bank.

Sunflower Land Trust: slt.ks.usa@gmail.com (316) 734-7545

<https://www.sunflowerlandtrust.com/>

21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY (Describe the reason or purpose of the project, see instructions)

An existing pond will be enlarged to provide adequate water quality, drainage detention, flood protection for a nearby residential development.

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY (see instructions)

Acres

0.32

Linear Feet

N/A

Cubic Yards Dredged or Discharged

N/A

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. (see instructions)

Notice of Intent

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

Purchase 0.32 acres of wetland from a wetland bank.

Sunflower Land Trust: slt.ks.usa@gmail.com (316) 734-7545

25. Is any portion of the nationwide permit activity already complete?

☐

Yes

☒

No

If Yes, describe the completed work:

Section XI, Item A.

N/A

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (see instructions)

N/A

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (see instructions)

N/A

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

N/A

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? ☐ Yes ☐ No

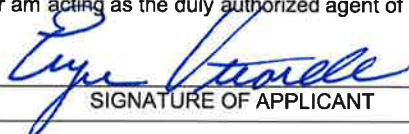
If "yes", please provide the date your request was submitted to the Corps district: N/A

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (see instructions)

N/A

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

X



SIGNATURE OF APPLICANT


9/16/2022

DATE



SIGNATURE OF AGENT


9/12/22

DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army**

Section XI, Item A.

Nationwide Permit (NWP) Pre-Construction Notification (PCN)

Blocks 1 through 4. To be completed by the Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant's Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed Nationwide Permit Activity Name or Title. Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use. List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Block 19. Description of the Proposed Nationwide Permit Activity. Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20. Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Block 21. Purpose of Nationwide Permit Activity. Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity. For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required. Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete? Describe any work that has already been completed for the NWP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity. If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River. If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit .

Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408. If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications. The terms of some of the Nationwide additional information requirements for preconstruction notifications:

- * NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- * NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- * NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- * NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.
- * NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- * NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- * NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
- * NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

Block 31. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.

City of Bel Aire, Kansas



STAFF REPORT

DATE: September 20, 2022

TO: City Manager

FROM: Melissa Krehbiel, City Clerk

RE: Notification Procedures, PUD-22-01 (Arthur Heights)

At the September 20, 2022 City Council meeting, Councilmembers requested more information about notification procedures regarding Planning Commission case PUD-22-01. Mayor Benage requested that the City Clerk provide a follow-up report regarding this matter.

I spoke to Jay Cook, Director of Planning and Community Development, on September 21, 2022. Mr. Cook confirms that all notification procedures were followed, per the Zoning Code and state statutes.

- In April 2022, the Developer submitted an application to amend the Arthur Heights PUD (assigned case number PUD-22-01). A certified property ownership list was obtained from a title company and submitted with the application, listing all owners of property adjacent to the subject property (PUD-22-01) within a 200-foot radius. The public hearing for PUD-22-01 was tentatively scheduled by staff for the May 12th Planning Commission meeting.
- On April 18th, owners of adjacent properties within the 200-foot radius were sent a letter by certified mail to notify them of the public hearing to be held on May 12th.
- On April 21st, a Notice of Public Hearing was published in the City's official newspaper of record, *The Ark Valley News* notifying the public of the hearing to be held on May 12th.
- Prior to the May meeting, Planning staff and the Developer agreed to move the public hearing for PUD-22-01 to the next regular meeting of the Planning Commission (June 16th) to allow time for revisions to the PUD by the Developer, to conform to City zoning regulations.
- On May 16th, owners of neighboring properties within the 200-foot radius were sent a letter by certified mail to notify them of the public hearing to be held at the June meeting.
- On May 19th, a Notice of Public Hearing was published in the City's official newspaper of record, *The Ark Valley News* notifying the public of the hearing to be held on June 16th.

- On June 16, 2022, the Planning Commission meeting was cancelled for lack of quorum. All items on the agenda, including the public hearing for PUD-22-01 were rescheduled for the next regular meeting of the Planning Commission on July 14th.
- On June 21, 2022, owners of neighboring properties within the 200-foot radius were sent a letter by certified mail to notify them of the public hearing to be held at the July 14, 2022 Planning Commission meeting.
- On June 23rd, a Notice of Public Hearing was published in the City's official newspaper of record, *The Ark Valley News* (see attached Affidavit of Publication).
- The public hearing was held on July 14th. Following the hearing, the Commission tabled consideration of the item until the next regular meeting of the Planning Commission. Later in the same meeting (July 14th) the Commission voted to set the date of the next Planning Commission meeting for 6:30 p.m. on August 23, 2022.
- On August 23rd at the Planning Commission meeting, the item was taken up again and considered by the Commission. The Commission voted to recommend approval of the amendment (PUD-22-01).
- Within the same week following the August 23rd Planning Commission meeting, a letter was sent by certified mail to the four individuals who spoke at the public hearing, notifying them that the City Council would consider final approval of the amendment (PUD-22-01) at the September 20th City Council meeting.

The amendment to the PUD was considered by the governing body (City Council) on September 20, 2022. The amendment was denied by a 5-1 vote of the governing body.

(Published once in Ark Valley News on May 19, 2022.)
Updated in paper 6/23/22

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on July 14, 2022 the City of Bel Aire Planning Commission will consider the following re-zoning/PUD hearing in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

PUD-22-01. Proposed changing partial zoning within the current PUD to allow R-6 multi-family housing. Arthur Heights PUD

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: E 45th and N Woodlawn Blvd.

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub- Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 21 day of June, 2022.

Vicinity Map



45th St N

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

Woodlawn Blvd.
↑

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says that he is the Publisher of The Ark Valley News, a weekly newspaper published in and of Sedgwick County Kansas, with a circulation on a yearly basis in Sedgwick County, and that said newspaper is not a trade, journal or internal publication.

Public notice

(Published in the Ark Valley News
June 23, 2022.)

OFFICIAL NOTICE OF ZONING HEARINGS

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on July 14, 2022 the City of Bel Aire Planning Commission will consider the following zoning processes in the order placed on the agenda after 6:30 p.m. that were part of the deferred hearings and other items on the agenda in the City Council Chamber at City Hall in Bel Aire, Kansas:

SD-22-03: Chapel Landing 6th, Duplex zoning, final plat.

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: 1/2 mile West of Woodlawn, on the south side of E 53rd St N.

ZON-22-04: Proposed re-zoning from AG to an M-1 Industrial The current use farm ground.

General Location: N Webb Road and E 48th St N

PUD-22-01: Proposed changing partial zoning within the current PUD to allow R-8 multi-family housing. Arthur Heights PUD

General Location: E 45th and N Woodlawn Blvd.

ZON-22-02: Proposed One-step platting approximately 3.35 acres, now Zoned R-50 Zero Lot line for single-family houses at Elk Creek 3rd. This is a continuation process. The current use farm ground.

General Location: Elk Creek Dr. and E 45th St N.

PUD-22-02: Proposed changing the site plan and vacating or allowing development over platted building setbacks within the current PUD Winkley Addition Commercial

General Location: E 45th St and N Oliver St.

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

You may appear at this time or later in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body which, if approved under the City Zoning and Subdivision regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 21 day of June, 2022.

/s/ Anne Stephens

Bel Aire Planning Commission
Secretary

aper is a weekly published at least week-ear; has been so published continuously tedly in said county and state for a period ve years prior to the first publication of d has been admitted at the post office of n said County as second class matter.

ached notice is a true copy thereof and in the regular and entire issue of said

1 consecutive weeks, the

n thereof being made as aforesaid on the

day of June, 2022.

with subsequent publications being made on the following dates:

_____, 2022 _____, 2022

_____, 2022 _____, 2022

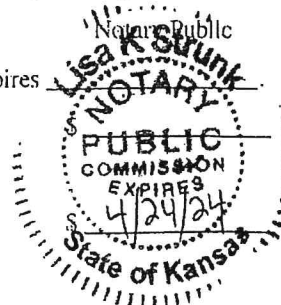
_____, 2022 _____, 2022

Subscribed and sworn to before me this 23rd day of June, 2022.

My commission expires

Additional copies

Printer's fee



MANAGERS REPORT



DATE: September 29, 2022
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: October 4, 2022 Agenda

Consent Agenda (Item VI)

The consent agenda contains the Minutes of the September 20, 2022 City Council meeting. In addition, Petitions and Resolutions for improvements to serve Elk Creek 3rd Addition as well as Phase 2 of Skyview 2nd Addition are included. The Petitions and Resolutions define the costs and the benefit areas of the improvements.

Ultimately, the costs of these improvements will be special assessed to the benefiting lots.

Appropriations Ordinance (Item VII)

This reporting period includes one payroll period as well as CCUA debt and O & M. CMW was paid for annual HVAC service agreements for City Hall and Rec Center amounting to \$2,283.47 to cover routine maintenance. The new excavator was expended from the Equipment Reserve fund in the amount of \$59,924.12. An interest payment in the amount of \$58,050 was made for GO Bond 2014A. (Ted was out of the office therefore the report was signed by Deb in order to meet the deadline.)

Wetland Mitigation (Item A)

Wetlands are designated and managed by the United States Corps of Engineers. As such, the corps requires wetlands be maintained for wildlife habitat. When a development proposes to remove wetlands, that amount of ground must be purchased or replaced. Cedar Pass contains some delineated wetlands and Garver is recommending the “purchase” of wetlands at another location. There are no future requirements by the city or developer. The cost of this purchases will be paid for within the project and spread as special assessments. Staff recommends approving the purchase.

Executive Session (Item XII)

The Mayor would like to have short executive session.

Discussion and Future Issues (Item III)

The regularly scheduled October workshop will be October 11th at 6:30 pm. On the agenda I have fireworks ordinance (non-profit affiliation), council wards, Central Park pool and 45th Street engineering.