We encourage everyone to view the meeting live via YouTube.

Leavenworth County Board of County Commissioners

Regular Meeting Agenda 300 Walnut Street, Suite 225 Leavenworth, KS 66048 November 30, 2022 9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items only and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.

Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.

- V. ADMINISTRATIVE BUSINESS:
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.
 - a) Approval of the minutes of November 23, 2022
 - b) Approval of the schedule for the week December 5, 2022

- c) Approval of the check register
- d) Approve and sign the OCB's

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve Resolution 2022-27, issuing a special use permit for Larson Cars and Boat Storage.
- b) Consider a motion to deny or remand back to the Planning and Zoning Commission, Case Number DEV-22-131, a rezoning from RR-5 to RR-2.5 located at 21420 203rd St.
- c) Review of the Kaw Valley application for a special use permit.
- VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.
 - IX. ADDITIONAL PUBLIC COMMENT IF NEEDED
 - X. ADJOURNMENT

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, November 28, 2022		

Tuesday, November 29, 2022

Wednesday, November 30, 2022

9:00 a.m. Leavenworth County Commission meeting

• Commission Meeting Room, 300 Walnut, Leavenworth KS

Thursday, December 1, 2022

Friday, December 2, 2022

Saturday, December 3, 2022

2:00 p.m. League of Women Voter's luncheon

• Leavenworth Public Library

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

******November 23, 2022 ******

The Board of County Commissioners met in a regular session on Wednesday, November 23, 2022. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Residents: Nancy Carpenter, Mike McDonald, John Matthews, Joe Herring, Wes Baker

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented an engagement letter with Fisher, Patterson, Sayler and Smith for legal consulting services.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the letter of engagement for Fisher, Patterson, Sayler and Smith.

Motion passed, 5-0.

Commissioner Kaaz was contacted by NEK-CAP for an annual appointment of a member to their Board.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that Commissioner Kaaz continue to remain on the NEK-CAP board.

Motion passed, 5-0.

Commissioner Stieben inquired about the legislative breakfast.

Mr. Loughry indicated he will inquire with Clerk and will hold a work session to discuss topics.

Commissioner Stieben asked about a work session with members of the Port Authority Board that represent the County.

Mr. Loughry will schedule a work session with the Port Authority Board members after the first of the year.

Commissioner Culbertson reported he is looking into getting guardrails up on a specific bridge in the north end of the county where two fatality accidents have occurred.

Commissioner Culbertson indicated he is working with the County Counselor to get language for a county resolution to rebury high pressure gas lines once they have become exposed.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, November 23, 2022 with corrections as noted.

Motion passed, 5-0.

Mike McDonald and Nancy Carpenter commented on non-agenda items.

Commissioner Stieben and Commissioner Culbertson attended the Mayor's Christmas Tree lighting in Tonganoxie.

Commissioner Culbertson attended the MARC meeting yesterday.

Commissioner Kaaz attended the NEK-CAP meeting via Zoom, the city of Leavenworth Mayor's Christmas Tree lighting, the Workforce Partnership Board of Directors meeting, KCATA meeting and the Leavenworth City Commission meeting.

Commissioner Mike Smith attended the open house for MAPS at the Industrial Park in Leavenworth. He reported Kansas City Kansas Community College will be opening a new satellite facility in the Lansing Town Center. He also stated he will be a speaker at the Leavenworth Rotary meeting next Wednesday.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to adjourn.

Motion passed, 5-0.

The Board adjourned at 9:29 a.m.



LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, December 5, 2022

Tuesday, December 6, 2022

Wednesday, December 7, 2022

9:00 a.m.	Leavenworth County Commission meeting • Commission Meeting Room, 300 Walnut, Leavenworth KS
Thomas days Ba	
Inursday, Dec	cember 8, 2022
Friday, Decem	nber 9, 2022

ALL MEETINGS ARE OPEN TO THE PUBLIC

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

START DATE: 11/19/2022 END DATE: 11/23/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413

			P.O.NUMBER	CHECK#					
00500	a Dura New CE	ADVANCE DELICATION	221200	101024 35	11 /00 /0000	0 001 5 14 000	ACT 100 DVDGDT DOOKS & DTVLGDD	100.00	
20588	ADVANTAGE	ADVANTAGE PRINTING	331380	101034 AP	11/22/2022	2-001-5-14-228	ACT 108 BUDGET BOOKS & REVISED	190.00	
20588	ADVANTAGE	ADVANTAGE PRINTING	331380	101034 AP	11/22/2022	2-001-5-14-228	ACT 108 BUDGET BOOKS & REVISED	35.00	225 00
12000	A DDDA TOED	ADDDATGED LG EDUGAETON EUND	221401	101051 70	11/02/0000	2 001 5 41 202	*** VENDOR 20588 TOTAL	520.00	225.00
13088	APPRAISER	APPRAISER'S EDUCATION FUND	331401	101051 AP	11/23/2022	2-001-5-41-202	POWER BI (HUNSECKER)		
282	AQUAFLOW	AITKENS CONTRACTING LLC	331402	101052 AP	11/23/2022	2-001-5-31-290	IRRIGATION BLOWOUT AT CTHSE	150.00	
1061	B & W FIRE LLC	B & W FIRE LLC BEST PLUMBING SPECIALTIES, INC	331403	101053 AP	11/23/2022	2-001-5-07-208	001245 EOC ANNUAL FIRE EXT INS	110.00	
2541 2541	BEST PLUMBING SPECIA	•	331405	101055 AP 101055 AP	11/23/2022 11/23/2022	2-001-5-07-357	65483 JAIL PLUMBING SUPPLIES 65483 JAIL PLUMBING SUPPLIES	39.18 18.87	
2541	BEST PLUMBING SPECIA BEST PLUMBING SPECIA	BEST PLUMBING SPECIALTIES, INC BEST PLUMBING SPECIALTIES, INC	331405 331405	101055 AP	11/23/2022	2-001-5-07-357 2-001-5-07-357	65483 JAIL PLUMBING SUPPLIES	64.21	
2541	BEST PHOMBING SPECIA	BEST FLUMBING SPECIALITES, INC	331405	101055 AF	11/23/2022	2-001-3-07-337	*** VENDOR 2541 TOTAL	04.21	122.26
1523	BOB BARKER	BOB BARKER CO INC	331406	101056 AP	11/23/2022	2-001-5-07-359	LEAKS4 JAIL SUPPLIES	177.00	122.20
1523	BOB BARKER	BOB BARKER CO INC	331406	101056 AP	11/23/2022	2-001-5-07-359	LEAKS4 JAIL SUPPLIES	725.63	
1523	BOB BARKER	BOB BARKER CO INC	331406	101056 AP	11/23/2022	2-001-5-07-359	CUST LEAKS4 JAIL SUPPLIES	5,079.41	
1323	BOD DIMILER	DOD DIMINDIK GO TING	331100	101030 111	11/23/2022	2 001 3 07 333	*** VENDOR 1523 TOTAL	3,0,3.11	5,982.04
24545	CDW GOVERN	CDW GOVERNMENT INC	331410	101060 AP	11/23/2022	2-001-5-07-362	11106763 8T HARD DRIVE	229.12	3,302.01
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES, LLC	331411	101061 AP	11/23/2022	2-001-5-14-220	20642-12019039952210 GAS SERVI	2,165.91	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES, LLC	331411	101061 AP	11/23/2022	2-001-5-32-392	20642-12019296502210 GAS SERVI	3,573.54	
303.			331111	101001 111	11, 23, 2022	2 001 3 02 092	*** VENDOR 5637 TOTAL	3,3,3,31	5,739.45
22074	CLIA (SHERIFF)	CLIA	331412	101062 AP	11/23/2022	2-001-5-07-203	2023 ANNUAL MEMBERHSIP DUES X2	25.00	5,.55.55
22074	CLIA (SHERIFF)	CLIA	331412	101062 AP	11/23/2022	2-001-5-07-203	2023 ANNUAL MEMBERHSIP DUES X2	25.00	
					,,		*** VENDOR 22074 TOTAL		50.00
164	COLGAN LAW FIRM	COLGAN LAW FIRM LLC	331381	101035 AP	11/22/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY - CON	8,077.50	
164	COLGAN LAW FIRM	COLGAN LAW FIRM LLC	331381	101035 AP	11/22/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY - CON	495.00	
164	COLGAN LAW FIRM	COLGAN LAW FIRM LLC	331381	101035 AP	11/22/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY - CON	200.54	
							*** VENDOR 164 TOTAL		8,773.04
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-01-212	BOCC-FUNERAL ARRANGEMENT	97.09	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-03-301	CO TREAS OFFICE SUPPLY	3,623.00	
648									
	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-05-202	EMS VEH MAINT, TNG, SUPPLIES+	338.95	
648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS	331413 331413	101067 AP 101067 AP	11/23/2022 11/23/2022	2-001-5-05-202 2-001-5-05-203	EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD	338.95 631.00	
648 648									
	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-05-203	EMS FIELD SUPPLY, OFC/FIELD/BLD	631.00	
648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS	331413 331413	101067 AP 101067 AP	11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216	EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD	631.00 607.25	
648 648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413	101067 AP 101067 AP 101067 AP	11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282	EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD	631.00 607.25 363.31	
648 648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413	101067 AP 101067 AP 101067 AP 101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+	631.00 607.25 363.31 77.28	
648 648 648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413	101067 AP 101067 AP 101067 AP 101067 AP 101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-301	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD	631.00 607.25 363.31 77.28 345.28	
648 648 648 648	COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413	101067 AP 101067 AP 101067 AP 101067 AP 101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+	631.00 607.25 363.31 77.28 345.28 1,591.78	
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648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP 101067 AP 101067 AP 101067 AP 101067 AP 101067 AP 101067 AP 101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306	EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99	
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648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS VEH MAINT,TNG,SUPPLIES+ EMS FIELD SUPPLY,OFC/FIELD/BLD	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56 186.25	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD PLANNING - OFFICE SUPPLY	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56 186.25 92.79	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD PLANNING - OFFICE SUPPLY LVSO-MW: JAIL, TECH, SUPPLIES/+	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56 186.25 92.79 50.00	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413 331413	101067 AP	11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD PLANNING - OFFICE SUPPLY LVSO-MW:JAIL, TECH, SUPPLIES/+ LVSO TRAVEL, TECH, SHF, JAIL, AMMO	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56 186.25 92.79 50.00 50.00	
648 648 648 648 648 648 648 648 648 648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413 331413	101067 AP	11/23/2022 11/23/2022	2-001-5-05-203 2-001-5-05-216 2-001-5-05-282 2-001-5-05-301 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-306 2-001-5-05-380 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-381 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383 2-001-5-05-383	EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD EMS VEH MAINT, TNG, SUPPLIES+ EMS FIELD SUPPLY, OFC/FIELD/BLD PLANNING - OFFICE SUPPLY LVSO-MW: JAIL, TECH, SUPPLIES/+ LVSO TRAVEL, TECH, SHF, JAIL, AMMO	631.00 607.25 363.31 77.28 345.28 1,591.78 8.94 140.18 12.99 6.99 60.95 63.68 20.20 9,179.21 115.34 41.56 186.25 92.79 50.00 50.00 455.00	

101067 AP 11/23/2022 2-001-5-07-218

LVSO-MW: JAIL, TECH, SUPPLIES/+

164.58

TYPES OF CHECKS SELECTED: * ALL TYPES

648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-251 LVSO-MW:JAIL,TECH,SU	JPPLIES/+ 172.31
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-262 LVSO TRAVEL, TECH, SHF	,
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-301 LVSO-MW:JAIL,TECH,SU	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-301 LVSO TRAVEL, TECH, SHF	·
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-303 LVSO-MW:JAIL, TECH, SU	
	·
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-354 PHILLIPS:GOBLIN PATR 648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-354 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-354 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-356 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-357 LVSO-MW:JAIL,TECH,SU	·
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-357 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-359 LVSO-MW:JAIL,TECH,SU	·
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-359 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-360 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-07-362 LVSO-MW:JAIL,TECH,SU	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-11-202 CO ATTY:TT-CONF (SD)	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-11-213 CO ATTY-NT-SUPPLIES,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-11-213 CO ATTY-POSTAGE, WIT	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-11-301 CO ATTY-NT-SUPPLIES,	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-11-302 CO ATTY-POSTAGE, WIT	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-14-332 LVSO TRAVEL, TECH, SHF	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-18-213 ALARM SYSTEMS COMMS	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-213 DIST CT TRAINING, IN	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-213 DIST CT CD TRAINING,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-213 DIST CT TW TRAININ	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-213 DIST CT(JC) TRAINING	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-301 DIST CT CD TRAINING,	
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-19-301 DIST CT(JC) TRAINING	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-21-300 HEALTH DEPT:CONR,PP,	,
648 COMMERCE BANK-COMMER COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-289 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-290 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-293 CUMMINGS - UNIFORMS,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-297 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-312 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-312 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-313 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-317 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-383 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-31-391 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-32-296 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-32-297 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-32-391 SEWER DIST 2 BATTERI	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-32-391 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-32-391 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-33-391 CUMMINGS - UNIFORMS,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-33-391 SPEC BLDG CUSHING, JC	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-33-391 TOMLIN; CUSHING BLDG	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-33-391 HERKEN:CTHS,SHOP,HD,	
648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413 101067 AP 11/23/2022 2-001-5-41-201 APPRAISER - COMPUTER	2/OFFICE SU 41.03

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-41-211	APPRAISER - COMPUTER/OFFICE SU	10.40	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-41-301	APPRAISER - COMPUTER/OFFICE SU	645.97	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-41-371	APPRAISER - COMPUTER/OFFICE SU	447.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-42-285	GIS CARD READER, ESRI CREDIT,	741.78	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-42-293	GIS CARD READER, ESRI CREDIT,	400.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-42-301	GIS CARD READER, ESRI CREDIT,	13.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-204	ELECTION EQUIPMENT DELIVERY CO	109.62	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-204	ELECTION EQUIPMENT DELIVERY CO	50.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-204	ELECTION EQUIPMENT DELIVERY CO	40.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-204	GENERAL ELECTION MACHINE DELIV	174.80	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-240	ELECTION FUEL	40.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-301	GENERAL ELECTION MACHINE DELIV	203.30	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-341	ELECTION SUPPLIES - GENERAL	69.11	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-341	ELECTION SUPPLIES, MEALS FOR ST	469.84	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-341	GENERAL ELECTION MACHINE DELIV	27.87	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-49-341	GENERAL ELECTION 2022 SUPPLIES	85.07	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-53-216	NOX WEED PARTS, SAFETY, FORMS, MI	212.72	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-53-217	NOX WEED PARTS, SAFETY, FORMS, MI	82.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-53-307	NOX WEED PARTS, SAFETY, FORMS, MI	1,532.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-53-308	NOX WEED PARTS, SAFETY, FORMS, MI	749.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-001-5-53-308	NOX WEED PARTS, SAFETY, FORMS, MI	3,042.08	
							*** VENDOR 648 TOTAL		52,027.21
1219	DIST CT CLERK LV	CLERK OF DIST COURT-LEAV	331382	101036 AP	11/22/2022	2-001-5-11-501	CO ATTORNEY - COURT COSTS	2,771.00	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-001-5-05-215	ELEC SVC EMS ADMIN	618.41	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331414	101068 AP	11/23/2022	2-001-5-14-220	COURTHOUSE ELECTRICITY	8,347.68	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331414	101068 AP	11/23/2022	2-001-5-32-392	JUSTICE CENTER ELECTRICITY	22,002.68	
							*** VENDOR 86 TOTAL		20 000 77
2410							VENDOR 00 TOTAL		30,968.77
	FIRST CALL INC	FIRST CALL INC	331384	101038 AP	11/22/2022	2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00	30,968.77
2410	FIRST CALL INC	FIRST CALL INC	331384	101038 AP	11/22/2022	2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS	150.00	30,968.77
2410 2410	FIRST CALL INC	FIRST CALL INC FIRST CALL INC	331384 331384	101038 AP 101038 AP	11/22/2022	2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00	30,968.77
2410 2410 2410	FIRST CALL INC FIRST CALL INC FIRST CALL INC	FIRST CALL INC FIRST CALL INC FIRST CALL INC	331384 331384 331384	101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00	30,968.77
2410 2410 2410 2410	FIRST CALL INC FIRST CALL INC FIRST CALL INC	FIRST CALL INC FIRST CALL INC FIRST CALL INC FIRST CALL INC	331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410	FIRST CALL INC FIRST CALL INC FIRST CALL INC FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00	30,968.77
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00	2,440.00
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384	101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416	101038 AP 101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211	INV 15210 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416	101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET INV 21006 OCTOBER AUTOPSIES ET INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K FORENSIC MEDICAL HOLDINGS OF K FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416	101038 AP 101070 AP 101070 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 650.00 2,100.00 2,100.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416	101038 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21000 SEPTEMBER TRANSPORTS INV 21000 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC FRONTIER FRONTIER FRONTIER FRONTIER FRONTIER FRONTIER FRONTIER	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416 331416	101038 AP 101070 AP 101070 AP 101070 AP 101070 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 20006 OCTOBER AUTOPSIES ET INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416 331416 331416	101038 AP 101070 AP 101070 AP 101070 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21000 SEPTEMBER TRANSPORTS INV 21000 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC FRONTIER	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416 331416 331416 331416	101038 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00 650.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC FRONTIER	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416 331416 331416 331416 331416 331416	101038 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00 650.00 650.00	
2410 2410 2410 2410 2410 2410 2410 2410	FIRST CALL INC FRONTIER	FIRST CALL INC FORENSIC MEDICAL HOLDINGS OF K	331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331384 331416 331416 331416 331416 331416 331416 331416 331416 331416 331416 331416	101038 AP 101070 AP	11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/22/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022 11/23/2022	2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-211 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271 2-001-5-13-271	INV 15210 SEPTEMBER TRANSPORTS INV 21010 SEPTEMBER TRANSPORTS INV 21010 SEPTEMBER TRANSPORTS INV 21006 OCTOBER AUTOPSIES ET	150.00 140.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 2,100.00 2,100.00 2,100.00 2,100.00 2,100.00 650.00 650.00 650.00 50.00	

START DATE: 11/19/2022 END DATE: 11/23/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	331416	101070 AP	11/23/2022	2-001-5-13-271	INV 21006 OCTOBER AUTOPSIES ET	25.00	
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	331416	101070 AP	11/23/2022	2-001-5-13-271	INV 21006 OCTOBER AUTOPSIES ET	145.00	
							*** VENDOR 5824 TOTAL		12,745.00
971	GALLS	GALLS	331417	101071 AP	11/23/2022	2-001-5-11-308	3945817 BADGES FOR ATTORNEYS	1,099.67	
4465	GRONIS	GRONIS HARDWARE INC	331418	101072 AP	11/23/2022	2-001-5-07-218	LVCO SHERIFF - JAIL MAINT/EXP,	13.55	
4465	GRONIS	GRONIS HARDWARE INC	331418	101072 AP	11/23/2022	2-001-5-07-357	LVCO SHERIFF - JAIL MAINT/EXP,	20.00	
4465	GRONIS	GRONIS HARDWARE INC	331418	101072 AP	11/23/2022	2-001-5-07-357	LVCO SHERIFF - JAIL MAINT/EXP,	5.10	
4465	GRONIS	GRONIS HARDWARE INC	331418	101072 AP	11/23/2022	2-001-5-07-359	LVCO SHERIFF - JAIL MAINT/EXP,	29.90	
							*** VENDOR 4465 TOTAL		68.55
6015	GUERRA, JOSE	JOSE GUERRA	331419	101073 AP	11/23/2022	2-001-5-11-202	PER DIEM, LODINGING - WICHITA	258.82	
6015	GUERRA, JOSE	JOSE GUERRA	331419	101073 AP	11/23/2022	2-001-5-11-202	PER DIEM, LODINGING - WICHITA	67.00	
							*** VENDOR 6015 TOTAL		325.82
22605	HINCKLEY S	HINCKLEY SPRINGS	331421	101075 AP	11/23/2022	2-001-5-11-208	17137512660768 FILTRATION SYST	54.99	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	170.00	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	170.00	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	170.00	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	170.00	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	190.00	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	331423	101077 AP	11/23/2022	2-001-5-19-203	2023 DUES (X6)	170.00	
							*** VENDOR 2017 TOTAL		1,040.00
26400	KANSAS GAS	KANSAS GAS SERVICE	331385	101039 AP	11/22/2022	2-001-5-14-220	510614745 1628631 73 GAS TRANS	792.27	
26400	KANSAS GAS	KANSAS GAS SERVICE	331385	101039 AP	11/22/2022	2-001-5-32-392	510614745 1628631 73 GAS TRANS	1,198.22	
26400	KANSAS GAS	KANSAS GAS SERVICE	331385	101039 AP	11/22/2022	2-001-5-33-392	510614745 1562996 18 GAS TRANS	153.51	
26400	KANSAS GAS	KANSAS GAS SERVICE	331385	101039 AP	11/22/2022	2-001-5-33-392	510614745 1562996 18 GAS TRANS	97.80	
							*** VENDOR 26400 TOTAL		2,241.80
259	KEYWEST TECH	KEYWEST TECHNOLOGY INC	331425	101079 AP	11/23/2022	2-001-5-18-254	KIOSK SOFTWARE	358.56	
1842	KONE INC	KONE INC	331426	101080 AP	11/23/2022	2-001-5-31-220	N40131062 OCTOBER ELEVATOR MAI	129.86	
1842	KONE INC	KONE INC	331426	101080 AP	11/23/2022	2-001-5-32-262	N40131062 OCTOBER ELEVATOR MAI	519.46	
1842	KONE INC	KONE INC	331426	101080 AP	11/23/2022	2-001-5-33-262	N40131062 OCTOBER ELEVATOR MAI	1,179.86	
							*** VENDOR 1842 TOTAL		1,829.18
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	331427	101081 AP	11/23/2022	2-001-5-07-305	LVSO JAIL SUPPLIES, OFFICE EQUI	445.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	331427	101081 AP	11/23/2022	2-001-5-07-359	LVSO JAIL SUPPLIES, OFFICE EQUI	263.17	
							*** VENDOR 4755 TOTAL		708.17
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	331429	101083 AP	11/23/2022	2-001-5-01-201	OPK595_K COPIER MONTHLY CHG	274.41	
1962	MOTOROLA	MOTOROLA	331388			2-001-5-21-300	1036540426 REPL RADIOS AT HEAL	54,904.00	
69	NARTEC	NARTEC, INC	331430		11/23/2022	2-001-5-07-251	INVESTIGATIVE ITEMS	473.50	
3	OTHER COUNTY OFFICE	T-MOBILE USA, INC	331431	101085 AP	11/23/2022	2-001-5-07-251	1003164 PHONE INFORMATION FOR	25.00	
639	PATTY, KRISTEN	KRISTEN B PATTY	331432	101086 AP	11/23/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY	420.00	
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-001-5-07-301	8333027 LVSHERIFF - OFFICE SUP	211.70	
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-001-5-07-301	8333027 LVSHERIFF - OFFICE SUP	575.84	
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-001-5-07-301	8333027 LVSHERIFF - OFFICE SUP	29.18	
103	RESTITUTIO						*** VENDOR 7098 TOTAL		816.72
000	DIVEDGISE	DIVERGINE PEGOTOGE	221202	101048 35	11 /00 /000	2 001 5 05 010	*** VENDOR 103 TOTAL	21 640 00	729.89
223	RIVERSIDE	RIVERSIDE RESOURCES	331393		11/22/2022	2-001-5-25-210	PER 2022 LVCO BUDGET	31,640.00	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	331436	101090 AP	11/23/2022	2-001-5-14-333	BUILDING AND GROUNDS FUEL	115.68	
17368	SECURITY T	SECURITY TRANSPORT SERVICES	331437	101091 AP	11/23/2022	2-001-5-07-218	TRANSPORT INMATE FROM DODGEVIL	1,724.87	
6148	SHERIFF	LEAV CO SHERIFF DEPT	331438	101092 AP	11/23/2022	2-001-5-07-211	REIMB FUEL, TITLE ONLY, LODGIN	49.14	
6148	SHERIFF	LEAV CO SHERIFF DEPT	331438	101092 AP	11/23/2022	2-001-5-07-211	REIMB FUEL, TITLE ONLY, LODGIN	255.76	

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FMWARRPTR2	LEAVENWORTH COUNTY	11/23/22 9:4	0:19	
DCOX	WARRANT REGISTER - BY FUND / VENDOR	Page	5	
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TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
6148	SHERIFF	LEAV CO SHERIFF DEPT	331438	101092 AP	11/23/2022	2-001-5-07-213	REIMB FUEL, TITLE ONLY, LODGIN	10.00	
6148	SHERIFF	LEAV CO SHERIFF DEPT	331438	101092 AP	11/23/2022	2-001-5-14-332	REIMB FUEL, TITLE ONLY, LODGIN	89.11	
							*** VENDOR 6148 TOTAL		404.01
829	THOMSON REUTERS	THOMSON REUTERS - WEST	331439	101093 AP	11/23/2022	2-001-5-11-210	1000590171 WEST INFORMATION CH	789.85	
22972	TRANSFER STATION	TRANSFER STATION	331440	101094 AP	11/23/2022	2-001-5-33-297	ACCT 158:STANDARD AND CONSTRUC	309.00	
41	UNDERGROUN	UNDERGROUND VAULTS & STORAGE	331441	101095 AP	11/23/2022	2-001-5-19-214	100492 FILE RETRIEVAL	25.20	
3510	UNIFORM ALLOWANCES								

warrants by vendor

START DATE: 11/19/2022 END DATE: 11/23/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

23163 HEMOCUE AMERICA

			P.O.NUMBER	CHECK#						
3510	UNIFORM ALLOWANCES									
3310							*** VENDOR	3510 TOTAL		8,730.00
5118	UTILITY DETECTIVE	CHASE QUENTIN LIVINGSTON	331512	101166 AP	11/23/2022	2-001-5-18-220	FIBER LOCATION SERVICES		672.00	,
479	WERRING	FARRIS, FRESH, & WERRING LAW OFF	331513	101167 AP	11/23/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY (CO	ONF	100.00	
							TOTAL FUND 001			232,733.76
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	331409	101059 AP	11/23/2022	2-108-5-00-219	HEALTH DEPT MELO, PEST CONTRO)L	785.34	
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	331409	101059 AP	11/23/2022	2-108-5-00-219	HEALTH DEPT MELO, PEST CONTI	ROL	824.10	
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	331409	101059 AP	11/23/2022	2-108-5-00-606	HEALTH DEPT MELO, PEST CONTRO)L	261.77	
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	331409	101059 AP	11/23/2022	2-108-5-00-606	HEALTH DEPT MELO, PEST CONTI	ROL	274.70	
							*** VENDOR	4938 TOTAL		2,145.91
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-202	HEALTH DEPT - TNG		20.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-213	HEALTH DEPT: CONR, PP, WIC, ELC	2	64.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-219	HEALTH DEPT: CONR, PP, WIC, ELC	2	281.28	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-280	HEALTH DEPT: CONR, PP, WIC, ELC	2	1,642.71	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-301	HEALTH DEPT: CONR, PP, WIC, ELC2	2	286.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-380	HEALTH DEPT: CONR, PP, WIC, ELC	2	992.75	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-384	HEALTH DEPT: CONR, PP, WIC, ELC	2	3,057.68	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-601	HEALTH DEPT: CONR, PP, WIC, ELC	2	190.77	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-606	HEALTH DEPT: CONR, PP, WIC, ELC	2	965.76	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-108-5-00-606	WIC		398.19	
							*** VENDOR	648 TOTAL		7,900.12
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-108-5-00-606	ELEC SVC WIC/HEALTH		154.60	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-108-5-00-606	ELEC SVC WIC/HEALTH		463.80	
							*** VENDOR	86 TOTAL		618.40
5316	E3 DIAGNOSTICS	E3 DAIGNOSTICS	331415	101069 AP	11/23/2022	2-108-5-00-204	GS2331 AUDIOMETER CALIB/SVC	CA	140.00	
5316	E3 DIAGNOSTICS	E3 DAIGNOSTICS	331415	101069 AP	11/23/2022	2-108-5-00-204	GS2331 AUDIOMETER CALIB/SVC	CA	135.00	
							*** VENDOR	5316 TOTAL		275.00

101074 AP 11/23/2022 2-108-5-00-606

29235 CUVETES

282.00

warrants by vendor

RADIOMETER AMERICA INC DIV:HEM 331420

648 COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413

COMMERCE BANK-COMMER COMMERCE BANK-COMMERCIAL CARDS 331413

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TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
8466	KDHE PERMITS	KANSAS DEPT OF HEALTH & ENVIRO	331424			2-108-5-00-380	STD66048 UPT KIT COLLECTION &	37.50	
12204	PROPIO LANGUAGE	PROPIO LANGUAGE SERVICES LLC	331433	101087 AP	11/23/2022	2-108-5-00-606	WIC TELEPHONE INTERPRETER SVC	25.00	
							TOTAL FUND 108		11,283.93
27486	INSIGHT	INSIGHT	331422	101076 AP	11/23/2022	2-115-5-00-409	10036173 UPS MANAGEMENT CARDS	1,135.86	
27486	INSIGHT	INSIGHT	331422			2-115-5-00-409	10036173 UPS MANAGEMENT CARDS	2,271.72	
					, ,		*** VENDOR 27486 TOTAL	,	3,407.58
							TOTAL FUND 115		3,407.58
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-118-5-00-405	TREAS TECH - SUPPLIES,	353.15	
							TOTAL FUND 118		353.15
1021	IIGD 460 APPED GGIOOI	IIAD 460 ADDED GOVOOL VIII AGD	221204	101040 35	11/22/2022	2 121 5 00 200	VDOG DETM 10M OURDMED	2 000 00	
1831	USD 469 AFTER SCHOOL	USD 469 AFTER SCHOOL VILLAGE	331394	101046 AP	11/22/2022	2-121-5-00-208	KDOC REIM 1ST QUARTER TOTAL FUND 121	2,000.00	2,000.00
							101AL FUND 121		2,000.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-123-5-00-301	COMM CORR, INTERNET, WATER, FOOD,	22.85	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-123-5-00-301	SUPPLIES, JCAB, CMA TRAINING	557.95	
							*** VENDOR 648 TOTAL		580.80
							TOTAL FUND 123		580.80
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-126-5-00-210	COMM CORR, INTERNET, WATER, FOOD,	40.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-126-5-00-225	COMM CORR, INTERNET, WATER, FOOD,	252.00	
							*** VENDOR 648 TOTAL		292.01
7098	QUILL CORP	QUILL CORP	331434			2-126-5-00-321	5645204 OFFICE SUPPLIES	12.53	
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-126-5-00-321	5645204 OFFICE SUPPLIES	11.96	
							*** VENDOR 7098 TOTAL		24.49
							TOTAL FUND 126		316.50
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-127-5-00-3	COMM CORR - ADVISORY BOARD	116.86	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-127-5-00-3	COMM CORR, INTERNET, WATER, FOOD,	84.23	
							*** VENDOR 648 TOTAL		201.09
							TOTAL FUND 127		201.09
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400			2-133-5-00-360	11-14 323860 12V ROTATABLE LES	1,374.34	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-133-5-00-360	11-14 323860 12V ROTATABLE LES	1,014.74-	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-133-5-00-360	11-14 323860 12V ROTATABLE LES	183.90-	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-133-5-00-360	11-14 323860 12V ROTATABLE LES *** VENDOR 26195 TOTAL	175.70-	0.0
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	331408	101058 AP	11/23/2022	2-133-5-00-303	*** VENDOR 26195 TOTAL 1-35 430742 ROAD SEAL	23,031.45	.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101056 AP 101067 AP	11/23/2022	2-133-5-00-303	11-35 430742 ROAD SEAL 11-37 SAFETY, TIRES, TNG, TVL, TOI	884.50	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-214	11-37 SAFETY, TIRES, TNG, TVL, TOI	225.36	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-301	11-37 SAFETY, TIRES, TNG, TVL, TOI	39.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-304	11-37 SAFETY, TIRES, TNG, TVL, TOI	75.86	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-304	11-36 SAFETY, PARTS, FLUID/LUBES	37.59	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-309	11-37 SAFETY, TIRES, TNG, TVL, TOI	1,289.56	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-309	11-36 SAFETY, PARTS, FLUID/LUBES	78.28	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-310	11-36 SAFETY, PARTS, FLUID/LUBES	719.39	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-311	11-36 SAFETY, PARTS, FLUID/LUBES	191.89	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-312	11-37 SAFETY, TIRES, TNG, TVL, TOI	99.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-312	11-36 SAFETY, PARTS, FLUID/LUBES	85.26	
640	COMMEDCE DANK COMMED	COMMEDCE DANK COMMEDCIAL CADDO	221412	101067 35	11/02/2022	2 122 5 00 260	11 27 CARRENT MIDEO MIO MIL MOI	F0 00	

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101067 AP 11/23/2022 2-133-5-00-360

101067 AP 11/23/2022 2-133-5-00-360

11-37 SAFETY, TIRES, TNG, TVL, TOI

11-36 SAFETY, PARTS, FLUID/LUBES

58.20

2,513.75

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TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-363	11-36 SAFETY, PARTS, FLUID/LUBES	657.91	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-363	11-36 SAFETY, PARTS, FLUID/LUBES	108.73	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-364	11-37 SAFETY, TIRES, TNG, TVL, TOI	1,211.14	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-364	11-37 SAFETY, TIRES, TNG, TVL, TOI	105.71	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-364	11-36 SAFETY, PARTS, FLUID/LUBES	1,252.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-365	11-37 SAFETY, TIRES, TNG, TVL, TOI	53.97	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-365	11-36 SAFETY, PARTS, FLUID/LUBES	133.28	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-133-5-00-365	11-36 SAFETY, PARTS, FLUID/LUBES	29.49-	
					, , ,		*** VENDOR 648 TOTAL		9,792.30
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-133-5-00-251	11-34 ELEC SVC CO SHOP ET AL	714.26	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-133-5-00-251	11-34 ELEC SVC CO SHOP ET AL	367.43	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-133-5-00-251	11-34 ELEC SVC CO SHOP ET AL	23.84	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-133-5-00-251	11-34 ELEC SVC CO SHOP ET AL	114.01	
							*** VENDOR 86 TOTAL		1,219.54
							TOTAL FUND 133		34,043.29
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-206	COMM CORR, INTERNET, WATER, FOOD,	20.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-221	COMM CORR - ADVISORY BOARD	13.40	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-224	COMM CORR LCCAPC TNG, FOOD FOR	10.70	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-224	SUPPLIES, JCAB, CMA TRAINING	10.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-226	COMM CORR, INTERNET, WATER, FOOD,	20.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-237	SUPPLIES, JCAB, CMA TRAINING	607.16	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-237	SUPPLIES, JCAB, CMA TRAINING	13.95	
	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-237		15.60	
648					11/23/2022		COMM CORR, INTERNET, WATER, FOOD,		
648	COMMERCE BANK-COMMER	COMMERCE BANK COMMERCIAL CARDS	331413	101067 AP		2-136-5-00-3	COMM CORR - ADVISORY BOARD	35.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-3	COMM CORR, INTERNET, WATER, FOOD,	185.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-3	COMM CORR LCCAPC TNG, FOOD FOR	38.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-136-5-00-3	SUPPLIES, JCAB, CMA TRAINING *** VENDOR 648 TOTAL	97.30	1,068.09
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-136-5-00-238	5645204 OFFICE SUPPLIES	15.19	·
7098	QUILL CORP	OUILL CORP	331434	101088 AP	11/23/2022	2-136-5-00-238	5645204 OFFICE SUPPLIES	12.12	
7098	OUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-136-5-00-301	5645204 OFFICE SUPPLIES	1.85	
7098	QUILL CORP	OUILL CORP	331434	101088 AP	11/23/2022	2-136-5-00-301	5645204 OFFICE SUPPLIES	2.99	
7098	QUILL CORP	QUILL CORP	331434	101088 AP	11/23/2022	2-136-5-00-321	5645204 OFFICE SUPPLIES	1.85	
7098	QUILL CORP	QUILL CORP	331434			2-136-5-00-321	5645204 OFFICE SUPPLIES	2.99	
	2	2			,,		*** VENDOR 7098 TOTAL		36.99
							TOTAL FUND 136		1,105.08
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-137-5-00-320	11-10 BOLTS,PLUGS,RING,SEAL+	570.97	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413			2-137-5-00-320	11-10 BOLTS, PLUGS, RING, SEAL+	295.88	
010	COLUMNIC DI MARCO COLUMNICA	COLUMN COLUMN COLUMN CARDS	331113	101007 111	11/23/2022	2 137 3 00 320	*** VENDOR 648 TOTAL	253.00	866.85
							TOTAL FUND 137		866.85
648	COMMEDCE BYNK-COMMED	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-144-5-00-2	COA/PALS, L&L, SUBS, OFC/MEETING	269.46	
	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS							
648	COMMERCE BANK-COMMER		331413	101067 AP	11/23/2022	2-144-5-00-2	COA/PALS, L&L, SUBS, OFC/MEETING	555.02	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-144-5-00-2	COA/PALS, L&L, SUBS, OFC/MEETING	159.32	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-144-5-00-3	COA/PALS, L&L, SUBS, OFC/MEETING	162.81	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-144-5-00-3	COA/PALS, L&L, SUBS, OFC/MEETING	236.14	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-144-5-00-3	COA/PALS, L&L, SUBS, OFC/MEETING	282.00	1 664 75
							*** VENDOR 648 TOTAL		1,664.75
							TOTAL FUND 144		1,664.75

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TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
562	ACCESSIBLE SOLUTIONS	ACCESSIBLE SOLUTIONS INC	331379	101033 AP	11/22/2022	2-145-5-00-208	OCTBER/NOVEMBER COA S/W LICENS	635.00	
562	ACCESSIBLE SOLUTIONS	ACCESSIBLE SOLUTIONS INC	331379	101033 AP	11/22/2022	2-145-5-00-208	OCTBER/NOVEMBER COA S/W LICENS	635.00	
							*** VENDOR 562 TOTAL		1,270.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-208	COA/PALS,L&L,SUBS,OFC/MEETING	158.37	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-209	COA/PALS,L&L,SUBS,OFC/MEETING	880.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-213	COA/PALS,L&L,SUBS,OFC/MEETING	38.94	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-252	COA/PALS,L&L,SUBS,OFC/MEETING	21.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-301	COA/PALS,L&L,SUBS,OFC/MEETING	767.16	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-301	COA/PALS,L&L,SUBS,OFC/MEETING	91.66	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-302	COA/PALS,L&L,SUBS,OFC/MEETING	13.12	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-303	COA/PALS,L&L,SUBS,OFC/MEETING	175.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-306	COA/PALS,L&L,SUBS,OFC/MEETING	35.88	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-306	COA/PALS,L&L,SUBS,OFC/MEETING	261.32	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-746	COA/PALS,L&L,SUBS,OFC/MEETING	74.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-750	COA/PALS,L&L,SUBS,OFC/MEETING	543.14	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-00-750	COA/PALS, L&L, SUBS, OFC/MEETING	77.47	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-145-5-09-200	COA/PALS, L&L, SUBS, OFC/MEETING	2,822.72	
					, ,		*** VENDOR 648 TOTAL	,	5,961.75
							TOTAL FUND 145		7,231.75
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-146-5-00-301	TREAS OFFICE SUPPLIES	507.97	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-146-5-00-301	TREAS OFFICE SUPPLIES	1,611.85	
							*** VENDOR 648 TOTAL		2,119.82
							TOTAL FUND 146		2,119.82
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-160-5-00-213	11-14 323860 12V ROTATABLE LES	.01	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-160-5-00-213	670030 DEF, AIR BRAKE COIL	97.64	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-160-5-00-213	670030 DEF, AIR BRAKE COIL	.01-	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	331400	101050 AP	11/23/2022	2-160-5-00-304	670030 DEF, AIR BRAKE COIL	103.74	
							*** VENDOR 26195 TOTAL		201.38
5900	BATTERY SOLUTIONS	BATTERY SOLUTIONS	331404	101054 AP	11/23/2022	2-160-5-00-208	BATTERY RECYCLING LARGE PAIL	109.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-201	SOLID WASTE - PPE, ADMIN SUPPLY	556.31	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-201	SOLID WASTE - HHW, OFC/ADMIN SU	30.39	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-203	SOLID WASTE - HHW, OFC/ADMIN SU	125.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-213	SOLID WASTE - PPE, ADMIN SUPPLY	14.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-263	SOLID WASTE - HHW, OFC/ADMIN SU	99.38	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-301	SOLID WASTE - HHW, OFC/ADMIN SU	256.25	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-303	SOLID WASTE - HHW, OFC/ADMIN SU	68.70	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-160-5-00-305	SOLID WASTE - PPE, ADMIN SUPPLY	337.85	
							*** VENDOR 648 TOTAL		1,488.83
							TOTAL FUND 160		1,800.16
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	160.00	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	395.00	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	160.00	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	395.00	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	160.00	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	331378	101032 AP	11/22/2022	2-174-5-00-210	911 TOWER SITE PREV MAINT GEN/	735.15	
							*** VENDOR 2138 TOTAL		2,005.15
1991	MARC	MID-AMERICA REGIONAL COUNCIL	331386	101040 AP	11/22/2022	2-174-5-00-210	LEAV-911 OCTOBER SHARED MARC 9	27,973.54	
							TOTAL FUND 174		29,978.69

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			P.O.NUMBER	CHECK#					
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES, LLC	331411	101061 AP	11/23/2022	2-195-5-00-290	20642-0321A774932210 GAS SERVI	45.77	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331414	101068 AP	11/23/2022	2-195-5-00-290	ELECTRICITY - COMMUNITY CORREC	381.64	
26400	KANSAS GAS	KANSAS GAS SERVICE	331385	101039 AP	11/22/2022	2-195-5-00-290	510614745 1628631 73 GAS TRANS	89.84	
2	WATER DEPT	WATER DEPT	331395	101049 AP	11/22/2022	2-195-5-00-290	WATER/SEWER COMM CORR BLDG	52.68	
							TOTAL FUND 195		569.93
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	101067 AP	11/23/2022	2-197-5-00-201	DIST CT TRAINING, INK FEE-MUHI	1,210.99	
17677	LEXISNEXIS RISK DATA	LEXISNEXIS RISK DATA MGMT (ACC	331428		11/23/2022	2-197-5-00-201	1001MUXAB ANNUA SUB (DIST CT J	6,854.01	
		, , , , , , , , , , , , , , , , , , , ,			, , ,		TOTAL FUND 197	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	8,065.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	331413	 101067 AP	11/23/2022	2-212-5-00-3	SEWER DIST 2 BATTERIES/JC MAIN	79.00	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-212-5-00-2	ELEC SVC SEWER DIST 2	165.54	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-212-5-00-2	ELEC SVC SEWER DIST 2	37.96	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-212-5-00-2	ELEC SVC SEWER DIST 2	29.47	
86	EVERGY	EVERGY KANSAS CENTRAL INC	331383	101037 AP	11/22/2022	2-212-5-00-2	ELEC SVC SEWER DIST 2	67.27	
								6 TOTAL	300.24
							TOTAL FUND 212		379.24
2570	BOND ESCROW REFUND	LARRY HUNNINGHAKE	331407	101057 AP	11/23/2022	2-503-5-00-2	REFUND ENTRANCE PERMIT 204TH S	100.00	
							TOTAL FUND 503		100.00
8500	METLIFE	METLIFE (VISION PLAN)	331387	101041 AP	11/22/2022	2-510-2-00-944	5919453 NOVEMBER PREMIUMS	3,770.41	
8500	METLIFE	METLIFE (VISION PLAN)	331387	101041 AP	11/22/2022	2-510-2-00-944	5919453 NOVEMBER PREMIUMS	45.54	
							*** VENDOR 8500	O TOTAL	3,815.95
1485	RELIANCE STANDARD	RELIANCE STANDARD	331435	101089 AP	11/23/2022	2-510-2-00-962	GL144512 NOVEMBER PREMIUMS	1,544.46	
1485	RELIANCE STANDARD	RELIANCE STANDARD	331435	101089 AP	11/23/2022	2-510-2-00-965	GL144512 NOVEMBER PREMIUMS	3,046.18	
							*** VENDOR 1485	5 TOTAL	4,590.64
							TOTAL FUND 510		8,406.59

TOTAL ALL CHECKS

347,207.96

FMWARRPTR2 LEAVENWORTH COUNTY 11/23/22 9:40:19
DCOX WARRANT REGISTER - BY FUND / VENDOR Page 11

START DATE: 11/19/2022 END DATE: 11/23/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

'UND	SUMMARY

001	GENERAL	232,733.76
108	COUNTY HEALTH	11,283.93
115	EQUIPMENT RESERVE	3,407.58
118	TREASURER TECH FUND	353.15
121	JUVENILE JUSTICE AUTHORITY	2,000.00
123	JUVENILE CRIME PREVENTION	580.80
126	COMM CORR ADULT	316.50
127	COMM CORR ADULT NON GRANT	201.09
133	ROAD & BRIDGE	34,043.29
136	COMM CORR JUVENILE	1,105.08
137	LOCAL SERVICE ROAD & BRIDGE	866.85
144	PALS (PETS AND LOVING SENIORS	1,664.75
145	COUNCIL ON AGING	7,231.75
146	COUNTY TREASURER SPECIAL	2,119.82
160	SOLID WASTE MANAGEMENT	1,800.16
174	911	29,978.69
195	JUVENILE DETENTION	569.93
197	INK FEE FUND	8,065.00
212	SEWER DISTRICT 2: TIMBERLAKES	379.24
503	ROAD & BRIDGE BOND ESCROW	100.00
510	PAYROLL CLEARING	8,406.59
	TOTAL ALL FUNDS	347,207.96

Consent Agenda 11/30/2022 Checks dated 11/19 - 11/23

Leavenworth County Request for Board Action Resolution 2022- 27 Special Use Permit Larson Indoor Storage

Date: November 30, 2022

To: Board of County Commissioners

From: Planning & Zoning Staff

Department Head Review: Krystal Voth, Reviewed

Δ	dditio	nal	Reviews	26	naadad	۱.
н	aailio	mai	Reviews	as	needed	1.

Budget Review	Administrator	Review 🖂 Le	gal Review 🛚
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Action Requested: Consider Resolution 2022-27 a Special Use Permit for Indoor Storage of Boats, Cars and RV's.

Analysis: The applicant is requesting a Special Use Permit to operate a self-storage business for the storage of cars, boats and RV's. The property will be accessible 24 hours a day with a coded entry. There will be no employees at the site. The applicant is requesting one sign with the business. The property is located across the street from the County quarry. The proposed use is not likely to detrimentally impact near-by properties. There should not be elevated noise levels and the use will not generate waste. Additional traffic to the site is minimal and is unlikely to be noticed. There is no request for outdoor storage. All storage will take place inside of an existing building. The property is not currently used as a residence.

Planning Commission Recommendation: The Planning Commission voted 8-0 (1 absent) to recommend approval of Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's.

Alternatives:

- 1. Approve Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact, and with or without conditions; or
- 2. Deny Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact; or
- Revise or Modify the Planning Commission Recommendation to Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact; or
- 4. Remand the case back to the Planning Commission.

Budgetary Impact:

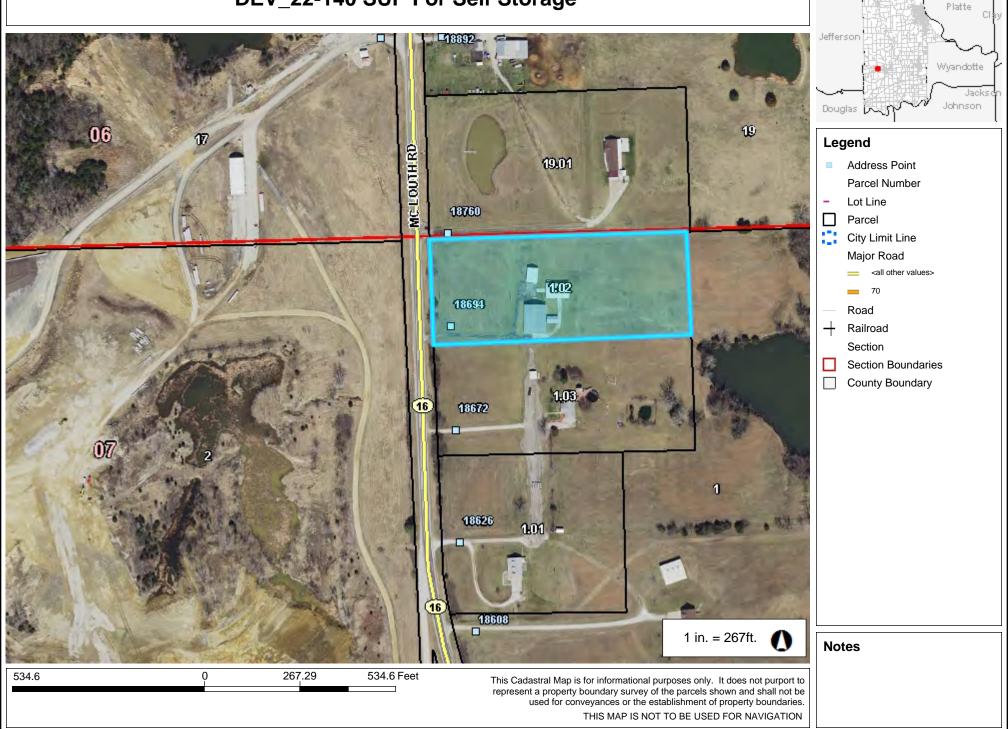
\boxtimes	Not Applicable
	Budgeted item with available funds
	Non-Budgeted item with available funds through prioritization
	Non-Budgeted item with additional funds requested

Total Amount Requested:

\$0.00

Additional Attachments: Staff Report, Planning Commission Minutes

DEV_22-140 SUP For Self Storage



LEAVENWORTH COUNTY BOCC **STAFF REPORT** RESOLUTION

CASE NO: DEV-22-140 Indoor Storage - Larson

NOVEMBER 30, 2022

REQUEST: Public Hearing Required ☐ Zoning Amendment

SUBJECT PROPERTY: 18694 MC CLOUTH ROAD

☐ Temporary Special Use Permit

APPLICANT/APPLICANT AGENT:

DIANA LARSON

KRYSTAL VOTH

DIRECTOR

18694 MC LOUTH ROAD TONGANOXIE, KS 66086

STAFF REPRESENTATIVE:

PROPERTY OWNER:

DIANA & BERNARD LARSON

CONCURRENT APPLICATIONS:

N/A

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

LAND USE

RR-2.5

LEGAL DESCRIPTION: SUBDIVISION: N/A

A tract of land East Half of the Northeast Quarter of Section 7, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas

FLOODPLAIN: N/A

STAFF RECOMMENDATION: DENIAL - PC RECOMMENDATION APPROVAL (8-0)

ACTION OPTIONS:

1. Approve Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact, and with or without conditions; or

- 2. Deny Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact; or
- 3. Revise or Modify the Planning Commission Recommendation to Resolution 2022-27 (Case No. DEV-22-140) of a Special Use Permit for Larson Indoor Storage of Cars, Boats and RV's, with Findings of Fact; or
- 4. Remand the case back to the Planning Commission.

PROPERTY INFORMATION PARCEL SIZE: 6.6 ACRES

PARCEL ID NO:

193-07-0-00-00-001.02

BUILDINGS:

EXISTING: OUT BUILDING WITH APARTMENT LIVING SPACE, **CURRENTLY VACANT**

PROJECT SUMMARY:

Requesting a permit to operate an indoor, self-serve storage facility for boats, RV's and cars.

ACCESS/STREET:

K-16

STATE HIGHWAY

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: TONGANOXIE

WATER: RWD 6

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: N/A

NEWSPAPER NOTIFICATION:

10/19/2022

NOTICE TO SURROUNDING **PROPERTY OWNERS:**

10/18/2022

FA	CTORS TO BE CONSIDERED:		
	e following factors are to be considered by the Planning Commission and the		
Во	ard of County Commissioners when approving or disapproving this Special Use rmit request:	Met	Not Met
	Character of the Neighborhood:		
	Density: Properties located within the unincorporated areas of the County are		
	primarily rural in nature and are on existing large lots. The Leavenworth County		
	Quarry is across K-16 highway.	✓	
		V	
	Nearby City Limits: The property is not located near a city limit.		
2.	Zoning and uses of nearby property:		
	Adjacent Uses: Most of the adjacent parcels are residential and agricultural in		
	nature. The quarry operates across the street from this parcel. Otherwise, existing	✓	
	nearby uses are residential and agricultural in nature.	V	
	Adjacent Zoning: All adjacent properties are zoned RR-5		
3.	Suitability of the Property for the uses to which is has been restricted:		
	The property is suitable as a rural residence. The requested use is allowed with a Special Use Permit	✓	
4.	Extent to which removal of the restrictions will detrimentally affect nearby property:		
	The requested-use is unlikely to detrimentally impact neighboring properties. The		
	request is for indoor storage of boats, cars and RV's. The anticipated daily traffic to the site is one or two vehicles per day.	✓	
	Traffic: Traffic will be limited and due to the property being located on K-16		
	Highway, the very limited traffic to the site (one or two customers per day) is not likely to impact neighbors.	✓	
	Lighting: There will be no lighting other than security lighting on the building.	✓	
	Outdoor Storage: No outdoor storage is proposed with this request.	✓	
	Parking: Parking is provided and is adequate for the proposed use.	✓	
	Visitors/Employees: The property owner is the only "employee" and will visit the		
	site on a regular basis. The applicant anticipates no more than one or two		
	customers per day visiting the location. All storage services are proposed as "self-	✓	
	serve."		
	Waste: The use will not generate waste.	✓	
5.	Length of time the property has been vacant as zoned:		
	☑ Not Vacant: While the property is not currently lived on, there are existing buildings and a small residence inside the building.	\checkmark	
6.	Relative gain to economic development, public health, safety and welfare:	√	+

	The proposed application would allow for another business to be located within Leavenworth County. There does not appear to be any detrimental effects to the public health, safety or welfare.	
7.	Conformance to the Comprehensive Plan:	
	Future Land Use Map: Rural Residential -5	✓

STAFF COMMENTS:

The applicant is requesting a Special Use Permit to operate a self-storage business for the storage of cars, boats and RV's. The property will be accessible 24 hours a day with a coded entry. There will be no employees at the site. The applicant is requesting one sign with the business. The property is located across the street from the County quarry. The proposed use is not likely to detrimentally impact near-by properties. There should not be elevated noise levels and the use will not generate waste. Additional traffic to the site is minimal and is unlikely to be noticed. There is no request for outdoor storage. All storage will take place inside of an existing building. The property is not currently used as a residence.

STAFF RECOMMENDED CONDITIONS:

- 1. The business shall operate 24-hours per day.
- 2. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
- 3. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
- 4. No on-street parking shall be allowed.
- 5. No outdoor storage of materials shall be allowed.
- 6. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
- 7. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
- 8. The Special Use Permit shall be subject to the written narrative and provided on October 4, 2022.
- After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map
C: Memorandums



SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department 300 Walnut, St., Suite 212 County Courthouse Leavenworth, Kansas 66048 913-684-0465 CK#1476 OCT 0 4 2022

THE PARTY OF THE P	OWNED INCODMATION (IS 1985
APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME DIana Larson	NAME Bernard Diana Bernic
ID = C TATA CL	ADDRESS 18694 Me Lowin Rd Larson
ADDRESS 105 & 70th St	
CITY/ST/ZIP Kansas City, mo	CITY/ST/ZIP Tonganoxic KS 66086
104113	9
PHONE 816-529-5444	PHONE 816-529-5444
ENAH the bestnest kc. @ yano. com	EMAIL thebest nest kee yahoo. com
EMAIL the bestnest Ke Eyanoo. com CONTACT PERSON Dana Larsn	CONTACT PERSON Diana Larson
CONTACT PERSON	CONTACT PERSON TO CONTACT PERSON
PID: 193-07-0-00-00 - 001 . 02 Address of property 18694 Mc Louth Bd Current use of the property Vacant	Zoning District: BB.5 Tonsanoxic, KS Parcel size 4.17 acres
Does the owner live on the property? Yes No	
I, the undersigned am the (circle one) owner, duly authorized agent, of the Leavenworth County, Kansas. By execution of my signature, I do hereby agree to "cease and desist" the operation of the activity upon denial of Signature	officially apply for a Special Use Permit as indicated above. I hereby

ATTACHMENT A

PROPOSED SPECIAL USE PERMIT INFORMATION
Name of Business BW Storage
Existing and Proposed Structures
Number of structures used for Special Use Permit 1-2
Will the use require parking? Yes No How many parking spaces are proposed/available?
Is the proposed use seasonal? Yes No If yes, what months will the use be active? through
If yes, what months will the use be active? through
Estimated Traffic
In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.
How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?
Daily 4 Weekly 28 Monthly 120
If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and
exiting) will be generated by the Special Use Permit?
Daily N/A Weekly N/A Monthly N/A
If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how
many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days in a
calendar year.
Passenger: Months NA Weeks NA Days NA Days NA Days NA
Commercial: Months N A Weeks N A Days N A
When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate
occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):
deeling daylight hours - passenger only
What is the anticipated route(s) from the nearest State Highway to the Site? 24/40 to McLouth Rd
Special Use Permit Renewal $-\mathcal{N} \mathcal{B}$
Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:
Have you added any buildings since the SUP was last issued? Yes No Any parking? Yes No

ATTACHMENT B

Written Narrative for Special Use Permit 18694 McLouth Rd, Tonganoxie, KS 66086

Current use is vacant property. It was once used to store my father's muscle car collection.

New proposed use is to use the large building for self storage for cars/boats/RVs.

It would be accessible 24 hours a day by way of coded entry to the building.

No employees will be present. I, as the owner, will be checking the property and business periodically.

One sign will be displayed on the outside of the building. No larger than 8' x 4' in size. The sign will be either painted on the building or made of vinyl. It will be on the side of the building that faces the road or the west side of the large building.

No chemicals, lubricants/oils/fluids will be stored or disposed of on the property.

No additional sewage will be used - currently a septic tank is located on the property.

No additional water will be needed.

There should be no additional noise or sound coming from the property.

No ordors or furnes should occur from the property/business.

No additional buildings will be constructed

No additional outdoor displays will be on the property other than one sign advertising the business already stated.

No additional equipment will be on site. There is some limited parking outside available to customers on the asphalt next to the buildings.

No alcohol service

No additional dust

No emergency services needed since there will be no employees. Fire extinguishers will be located inside the storage building & shop building.

Any outdoor storage will be kept in the pole barn not visible from the road or other properties.

Security cameras and motion lights will be installed.

Limited outside parking will be available on asphalt outside of buildings that should more than accommodate the few customers' needs.

There is a small apartment in one of the buildings but no one currently lives there or has plans to live there. Traffic will be minimal with no employees and maybe 1-2 customers coming by a day on average. Since no one will reside at the property, no deliveries should be needed.

Tax History Inquiry for LARSON, BERNARD W

View Parcel Information --- Tax Search Page

						roperty Address 694 MC LOUTH RD					
Tax	ID	Sec-Twn-Rng	Sub	Bik	Lot		Description			Parcel Id/Cama	Parcel Classes
2021 Res	lEstate	07-11-21E				\$07, T11, R21E, ACRES 4. E726',\$300',W726'; ,N300'		; 40'E NW COR NE	:1/4	193-07-0-00-00- 001.02-0	Residential Real Estate
Tax Unit	USD	Cty/Twn	Assessed Valuation	Mill Levy	Ad Valorem	Special Assessments	Total Tax	Total Paid	Dlq	Book-Page	Date of Transfer
092	464	TONGANOXIE TOWNSHIP	\$20629	125.493	\$2542.8	\$0	Amount \$2542.8	Amount \$2542.8	No	0782 - 1800	0

Click here for Additional Years

<u>View Parcel Information</u> --- <u>Tax Search Page</u>

Tax Search powered by Aumentum

RESOLUTION 2022-27

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for Indoor Storage of Boats, Cars and RV's on the following described property:

A tract of land in the East Half of the Northeast Quarter of Section 7, Township 11 South, Range 21 East of the 6th PM, in Leavenworth County, Kansas more commonly known as 18694 McLouth Road.

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 4th day of October, 2022, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 9th day of November, 2022; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 30th Day of November, 2022, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

- 1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and.
- 2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 30th Day of November, 2022, and incorporated herein by reference;

That Case No. DEV-22-140, Special Use Permit for Indoor Storage of Boats, Cars and RV's be approved subject to the following conditions:

- 1. The business is authorized operate 24-hours per day on all calendar days.
- 2. The applicant shall provide and maintain a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
- 3. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
- 4. No on-street parking shall be allowed.
- 5. No outdoor storage of materials, boats, vehicles of any kind, RV's, Campers or trailers shall be allowed.
- 6. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
- 7. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
- 8. The Special Use Permit shall be subject to the written narrative and provided on October 4, 2022.

- 9. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.
- 10. Applicant shall not cause or allow any public nuisance to exist on the subject property.
- 11. This SUP is subject to revocation upon the violation of, or failure to comply with, any condition state herein.

located in Section 7, Township 11 South, Range 21, also known as 18694 McLouth Road, parcel no. 193-07-0-00-001.02 in Leavenworth County, Kansas.

	Adopted this 30 th Day of October, 2022 Board of County Commission Leavenworth, County, Kansas
	Mike Smith, Chairman
ATTEST	Jeff Culbertson, Member
Janet Klasinski	Vicky Kaaz, Member
	Doug Smith, Member
	Mike Stieben, Member

Leavenworth County Request for Board Action Case DEV-22-131 Rezone from RR-5 to RR-2.5

Date: November 30, 2022 **Board of County Commissioners** From: Planning & Zoning Staff Department Head Review: Krystal Voth, Reviewed Additional Reviews as needed: **Budget Review** ☐ **Administrator Review** ☐ **Legal Review** ☐ Action Requested: Consider a request to rezone a portion of land at 21420 203rd Street from RR-5 to RR-2.5. Analysis: On November 9th, 2022, the Leavenworth County Planning Commission heard case DEV-22-131 and voted 7-1 to recommend denial of the case. The applicants are requesting a rezoning from Rural-Residential-5 to Rural Residential-2.5 on land that the Comprehensive Plan identifies as Residential Estate (5-acre minimum) through the Future Land Use Map. As such, the proposed request is not supported by Staff as it does not meet the Comprehensive Plan. Planning Commission Recommendation: The Planning Commission voted 7-1 (2 absent) to recommend denial of Case No. DEV-22-131, Rezoning Request from RR-5 to RR-2.5. **Alternatives:** 1. Deny Case DEV-22-131, Rezoning Request from RR-5 to RR-2.5, with Findings of Fact; or 2. Remand the case back to the Planning Commission; **Budgetary Impact:** Not Applicable Budgeted item with available funds Non-Budgeted item with available funds through prioritization Non-Budgeted item with additional funds requested **Total Amount Requested:**

Additional Attachments: Staff Report, Planning Commission Minutes

\$0.00

LEAVENWORTH COUNTY BOARD OF COUNTY COMMISSIONERS STAFF REPORT

CASE NO: DEV-22-131 Harris Rezone November 30, 2022 **REQUEST:** Public Hearing Required **STAFF REPRESENTATIVE:** JOSHUA GENTZLER ☑ ZONING AMENDMENT ☐ SPECIAL USE PERMIT **PLANNER II** ☐ TEMPORARY SPECIAL USE PERMIT **SUBJECT PROPERTY: 21420 203RD STREET APPLICANT/APPLICANT AGENT:** JOE HERRING HERRING SURVEYING COMPANY 315 N. 5TH STREET LEAVENWORTH, KS 66048 **PROPERTY OWNER: GARY B. & DEJANEE HARRIS CONCURRENT APPLICATIONS:** N/A **LAND USE ZONING: RR-5** FUTURE LAND USE DESIGNATION: **RESIDENTIAL ESTATE LEGAL DESCRIPTION:** SUBDIVISION: N/A A tract of land in the Southwest Quarter of Section 23, Township 10 South, FLOODPLAIN: N/A Range 21 East of the 6th P.M. in Leavenworth County, Kansas. PLANNING COMMISSION RECOMMENDATION: DENIAL **PROPERTY INFORMATION ACTION OPTIONS:** PARCEL SIZE: 2.51 ACRES 1. Deny Case DEV-22-131, Rezoning Request from RR-5 to RR-2.5, with PARCEL ID NO: Findings of Fact; or 146-23-0-00-00-009.00 2. Remand the case back to the Planning Commission; **BUILDINGS:** NONE **PROJECT SUMMARY:** ACCESS/STREET: 203rd STREET Reguest to rezone a 2.51-acre tract of land from parcel 146-23-0-00-009.00 (more commonly known as 2142 203rd Street). LOCAL, GRAVEL, ±24' WIDE **LOCATION MAP: UTILITIES SEWER: SEPTIC** FIRE: STRANGER WATER: RWD 9 **ELECTRIC: FREESTATE NOTICE & REVIEW:** STAFF REVIEW: N/A **NEWSPAPER NOTIFICATION:** 10/19/2022 NOTICE TO SURROUNDING **PROPERTY OWNERS:** 10/18/2022

The following factors are to be considered by the Planning Commission and the		
Board of County Commissioners when approving or disapproving this Rezoning request:		Not Met
1. Character of the Neighborhood: Density: The surrounding properties range in size from 2.4 acres to over 40 acres.	,	
Nearby City Limits: The properties are not near an incorporated city. Initial Growth Management Area: This parcel is not located within the Rural Growth Area.	,	
2. Zoning and uses of nearby property: Adjacent Uses: Most of the adjacent parcels are residential and agricultural nature.	in	✓
 Adjacent Zoning: All adjacent properties are zoned RR-5. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences. 	✓	
4. Extent to which removal of the restrictions will detrimentally affect nearby property: Nearby properties are not likely to be detrimentally impacted.	у	
5. Length of time the property has been vacant as zoned: Vacant: Not Vacant: √	√	
6. Relative gain to economic development, public health, safety and welfare: The proposed rezoning is not likely to impact economic development, public health, safety or welfare.		
7. Conformance to the Comprehensive Plan: Future Land Use Map: Residential Estate		✓

STAFF COMMENTS:

The proposed request is not supported by Staff as it does not meet the Comprehensive Plan.

FUTURE LAND USE MAP:



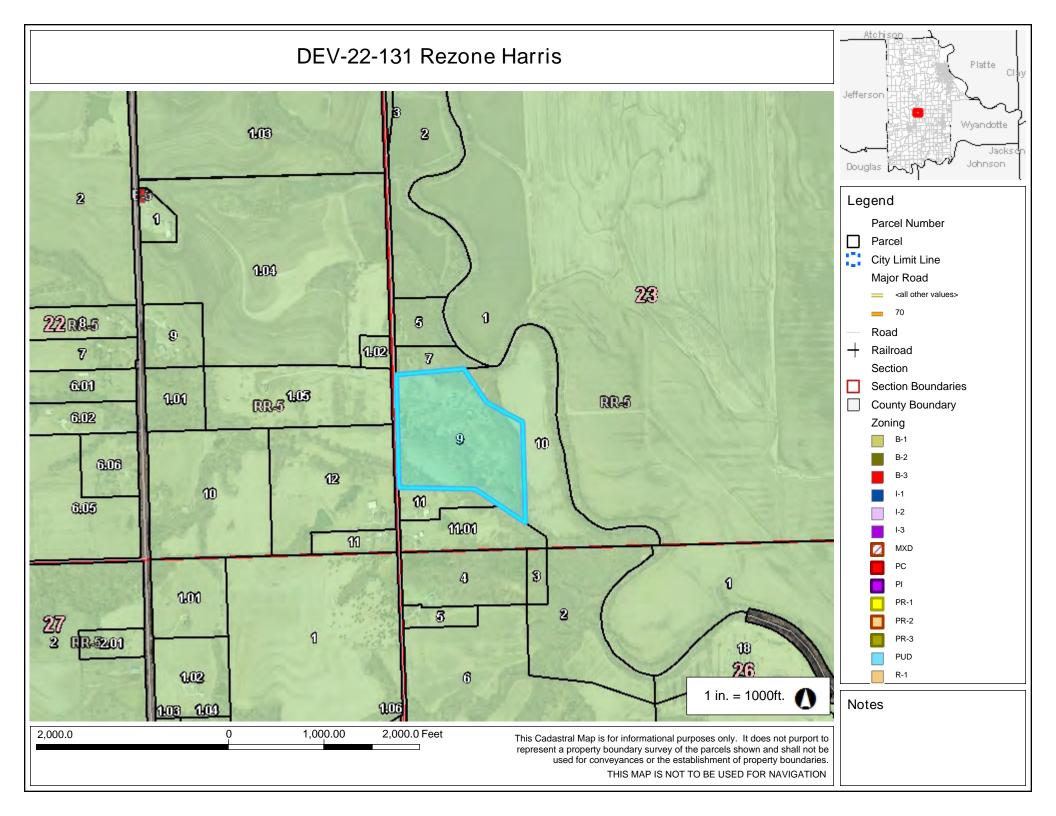
ATTACHMENTS:

A: Application & Narrative

B: Aerial Map

C: Zoning Map

DEV-22-131 Rezone Harris Platte Jefferson Wyandotte 21522 1.04 Douglas Town Johnson 21502 Legend Address Point 21453 Parcel Number Lot Line 21420 Parcel City Limit Line Major Road <all other values> **7**0 Road Railroad 100 Section Section Boundaries 23 **County Boundary** 21226 11.01 00 26 1 in. = 400 ft.Notes 400.00 800.0 800.0 Feet This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries. THIS MAP IS NOT TO BE USED FOR NAVIGATION



Strauger
Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse

34.10 464	913-684-0465
Township: Stranger	Office Use Only Date Received: 09.23.2022
Planning Commission Date Case No	Date Paid 09.23.2022
Zoning District RR 5 Comprehensi	ive Plan I and Use Designation
Zonnig District 44 5 Completions	ive I lan Land Ose Designation
APPLICAN VAGENT INFORMATION	OWNER INFORMATION (If different)
	and the state of t
NAME Joe Herring	NAME Gary B. Harris Sr. & DeJanee Harris
ADDRESS 315 North 5th Street	ADDRESS 21420 203rd Street
CITY/ST/ZIP Leavenworth, KS 66048	CITY/ST/ZIP Tonganoxie, KS 66086
PHONE 913-651-3858	PHONE N/A
EMAIL herringsurveying@outlook.com	EMAIL N/A
CONTACT PERSON Joe	CONTACT PERSON N/A
Proposed Land Use Rural Residential	ED USE INFORMATION
Current Zoning RR-5	Requested Zoning Portion to RR-2.5
Reason for Requesting Rezoning Rezone the No	orthwest corner of property per exhibit and description.
Address of Property 21420 203rd Street	ERTY INFORMATION
Parcel Size 2.51 Acres	
Current use of the property AG	
Present Improvements or structures None	
PID 146-23-0-00-009	
the unincorporated portion of Leavenworth Counapply for rezoning as indicated above.	zed agent). Circle One) of the aforementioned property situated in the sty, Kansas. By execution of my signature, I do hereby officially
Signature Joe Herring - digitally signed 9-23-2022	Date 9/23/22

ATTACHMENT A

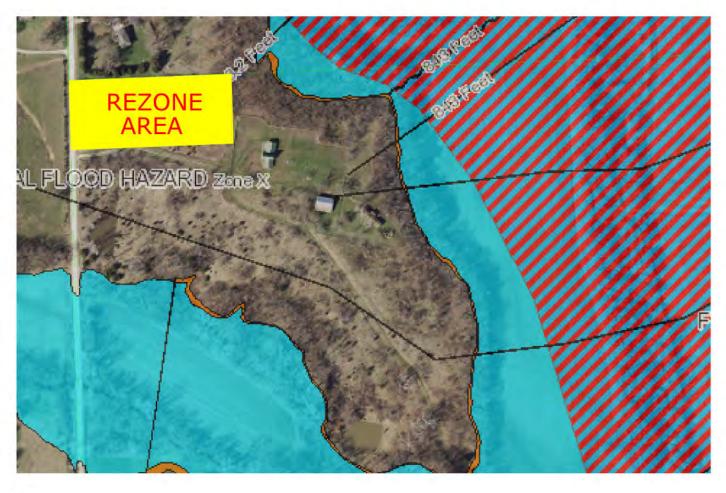
REZONE EXIBIT

PREPARED FOR: Gary B. Harris, Sr. & DeJanee Harris 21420 203rd Street Tonganoxie, KS

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

REZONE DESCRIPTION:

A tract of land in the Southwest Quarter of Section 23, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on September 23, 2022, more fully described as follows: Commencing at the Northwest corner of said Southwest Quarter; thence South 01 degrees 46'06" East for a distance of 795.99 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 87 degrees 43'24" East for a distance of 505.00 feet; thence South 01 degrees 46'06" East for a distance of 216.75 feet; thence South 87 degrees 43'24" West for a distance of 505.00 feet to said West line; thence North 01 degrees 46'06" West for a distance of 216.75 feet along said West line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 2.51 acres, more or less, including road right of way.





Not to Scale

Job #K-22-1617 September 23, 2022



MEMORANDUM

November 22, 2022

FROM DAVID C. VAN PARYS SR. COUNTY COUNSELOR

TO: BOARD OF COUNTY COMMISSIONERS

CC: MARK LOUGHRY, COUNTY ADMINISTRATOR

RE: Kaw Valley Companies, Inc. SUP application; Review of Options

Dear Commissioners,

This memo is to apprise you of the status of the matter of the SUP application previously submitted by Kaw Valley and as affected by the ruling of the Court of Appeals on the appeal filed by Kaw Valley.

Status of the SUP Application.

The Court of Appeals vacated Resolution 2020-23, the resolution previously adopted granting the SUP to Kaw Valley "---leaving the Board of County Commissioners to go forward from the posture of these proceedings in July 2020 immediately before its consideration of and vote on the resolution. (Appellate decision pg. 23, lines 7-9). The Court of Appeals noted in its decision that there is no allegation that the county did not comply with all statutory provisions leading up to the vote on the resolution (Appellate decision pg. 14, lines 18-20).

The plain language of the opinion of the appellate court is that for the purpose of considering the SUP application of Kaw Valley no additional public hearings are required, but that the board set the matter on its agenda and vote on the approval or disapproval of the application, subject of course to the action of the board meeting the *Golden* criteria and being in accord with the requirements of a greater degree of specificity on any conditions placed on the SUP, should it be granted.

Options available to the board.

- 1. Vote to deny the SUP application based upon the current, apparent, and unchallenged, deficiencies in the safety and condition of the proposed haul route (eastern route).
- 2. Direct county staff to negotiate a development agreement regarding the haul route prior to bringing the matter of the SUP to the board for final decision.

Sincerely, /s/ David C. Van Parys



June 23, 2020

Leavenworth Board of County Commissioners

300 Walnut, Suite 225 Leavenworth, Kansas 66048

LENAPE SAND QUARRY AND HAUL ROAD SPECIAL USE PERMIT

Olsson and Leavenworth County Staff have received and reviewed the following:

- Pavement Exploration Report (dated 11.19.19) with revised Appendix (dated 06.22.20).
- Traffic Impact Study (dated 6.22.20).
- Structures & Drainage Study (dated 02.17.20).
- Dust Control Plan (dated 02.18.20).

Report and Study Findings:

Traffic Impact Study

Olsson has reviewed the Traffic Impact Study dated June 22nd, 2020 for general conformance according to County requirements and/or engineer standards with no exceptions.

Note: The determination of general conformance does not warranty such report and does not relieve the engineer of record of its obligations and requirements to meet the industry required standard of care. Engineer of record is solely responsible for all contents of the report regardless of the review provided.

Pavement Exploration Report

Olsson has reviewed the Pavement Exploration Report dated November 19, 2019 for general conformance according to County requirements and/or engineer standards. Exceptions noted:

• Executive Summary states (page 1): "Using the field and laboratory data from the exploration, the 1993 AASHTO Design Guide analysis procedures estimate the proposed haul road has a lifetime traffic capacity of between 830,000 and 1,170,000 ESAL before substantial maintenance to rebuild the road would be required. Since the proposed additional traffic load of 524,000 ESAL is equal to, or slightly less than 50 percent of the lifetime capacity of the roadway, it is KVE's opinion that the existing proposed haul road has sufficient remaining life to carry the anticipated sand plant traffic over the next 10 years." Appendix A Pavement Exploration Report Review and Responses #7 states "Substantial maintenance would involve a mill and overlay of the roadway." The Traffic Impact Study states (page 4): "The company estimates that this quarry could in operation for twenty-five years or longer depending on the demands for sand materials".

Due to the existing pavement life not carrying the duration of the proposed SUP's operational goal of 25 years, the roadway would require a full reconstruction in lieu of the document's recommended substantial maintenance of a mill and overlay.

Note: The determination of general conformance does not warranty such report and does not relieve the engineer of record of its obligations and requirements to meet the industry required standard of care. Engineer of record is solely responsible for all contents of the report regardless of the review provided.

Structure & Drainage Study

Olsson has reviewed Structures & Drainage Study dated February 17, 2020 for general conformance according to County requirements and/or engineer standards with no exceptions.

Note: The determination of general conformance does not warranty such report and does not relieve the engineer of record of its obligations and requirements to meet the industry required standard of care. Engineer of record is solely responsible for all contents of the report regardless of the review provided.

Dust Control Plan

Olsson has reviewed Dust Control Plan dated February 18, 2020 for general conformance according to County requirements and/or engineer standards with no exceptions.

Note: The determination of general conformance does not warranty such plan and does not relieve the engineer of record of its obligations and requirements to meet the industry required standard of care. Engineer of record is solely responsible for all contents of the report regardless of the review provided.

Haul Route Recommendations:

Page 25 of the Kaw Valley Sand & Gravel Lenape Sand Quarry Traffic Impact Study prepared by Cook, Flatt & Strobel Engineers P.A. dated June 22nd, 2020 states: Kaw Valley would compensate Leavenworth County with a road usage fee that would be paid on an agreed-upon basis gauged on the volume of sand extracted from the Lenape site. Kaw Valley would essentially pay a per-ton royalty to the County based on the amount of sand shipped from the site each month or yearly quarter. Kaw Valley would further be responsible for the costs of roadway improvements to the quarry truck route including the intersection improvements to the 158th & Golden Road curve, 158th & Loring Road and Loring Road and Loring Drive. Since Kaw Valley would be paying for the improvements, the company would expect that the work would be administered and bid by their own forces (subject to the oversight and approval of Leavenworth County's Public Works Engineering and Inspection Staff). The planning and execution of the work would be done in accordance with the applicable County and KDOT standards. Kaw Valley would be allowed to supply their own roadway construction materials and select their preferred Contractors subject to the approval of the County.

Page 1 of the Pavement Exploration Report prepared by Kaw Valley Engineering, Inc. dated November 19th, 2019 states: Since the proposed additional traffic load of 524,000 ESAL is equal to, or slightly less than 50 percent of the lifetime capacity of the roadway, it is KVE's

opinion that the existing proposed haul road has sufficient remaining life to carry the anticipated sand plant traffic over the next 10 years.

Per the Applicant, quarry operations are estimated at 25 years or longer. According to the Pavement Exploration Report, the proposed haul road only has sufficient remaining life to carry the anticipated sand plant traffic over the next 10 years. The roadway will need to be reconstructed due to the existing pavement not supporting the additional 15 years of the proposed SUP's operational goal of 25 years or longer.

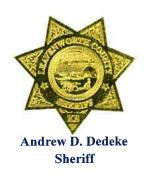
Olsson and Leavenworth County Staff Recommendations:

- The Applicant shall be responsible for bringing the route/roadway up to County standards to include recommended improvements detailed in the submitted reports prior to hauling.
- Design and construction of the roadway shall be funded entirely by the Applicant. Funds
 for said design/improvements shall be received by the County prior to design. Funds
 may need to be adjusted as the project progresses through construction.
- A formal executed agreement between the County and the Applicant detailing all requirements and responsibilities of such improvement will be required.
- The reconstruction of the roadway will be in lieu of a traffic impact fee.
- After the roadway reconstruction improvement is completed and accepted by the County, the applicant will not be responsible for any additional fees associated with the haul route roadway.
- Private driveway as part of the revised route: Where existing grade is raised and interrupts local drainage paths, applicant shall provide for local drainage to be captured and conveyed across the filled area utilizing conveyance methods in accordance with Leavenworth County's Storm Drainage Criteria. Pipe culverts and roadside ditches should have a minimum capacity to capture and convey 15-yr peak flows and meet all other design criteria.
- Where fill is placed in the floodplain or floodway, the applicant shall submit a completed Floodplain Development Permit Application, including Certifications required by a registered surveyor, architect, or engineer.
- Private driveway as part of the revised route: The north-south private driveway would be required to be hard surfaced.
- The graveled portion of 158th Street shall be improved to a hard surface.

Sincerely,

Maa. Rec

Mitch Pleak, PE Olsson



LEAVENWORTH COUNTY SHERIFF'S OFFICE

March 27, 2020

Commissioner Jeff Culbertson, First District Commissioner Vicky Kaaz, Second District Commissioner Doug Smith, Third District Commissioner Chad Schimke, Fourth District Commissioner Mike Stieben, Fifth District

Dear Commissioners.

I have observed from a distance the ongoing discussion regarding the sand mining special use permit (SUP) application on behalf of the Kaw Valley Companies, Inc. of Kansas City, Kansas.

Having been present during times of public comment at meetings of the Leavenworth County Board of County Commissioners, I have been impressed at the sincerity and passion individual speakers displayed while addressing this body. As I listened to their unified opposition of this SUP and subsequently visited with many residents in the area, I became acutely aware these residents are not anti-business or biased against the applicant; rather I believe their primary concern is about public safety. It is in this vein I decided to conduct a review of the proposed operation from this standpoint.

Kaw Valley Companies, Inc.

Initially, I researched the applicant business. In doing so, I did not reveal any disconcerting information. In fact, Kaw Valley Companies, Inc. appears to be a company in good standing with an emphasis in hauling and sand mining. It is true the company has been cited for violations pertaining to driver fitness, vehicle maintenance and alcohol / controlled substances however, the more serious offenses appear to have been isolated and the lesser violations relatively routine in nature. Regardless of the severity, all violations can impact the safety of motorists and pedestrians alike.

Traffic Impact Study

Next, I reviewed the traffic impact study prepared for the applicant by Cook, Flatt & Strobal Engineers P.A. It is also true I lack the educational foundation required of engineers and as such cannot dispute the report in totality. The narrative of this report clearly states this study was requested by the BOCC "...with concerns for public safety expressed by some members of the Planning Commission and several private citizens...". The value I can offer is knowledge of the area and experience with crashes, traffic problems and other pertinent activities which occur on our system of roads.

I visited the planned site for the mining operation and drove the proposed haul route to the Wyandotte County line located at the intersection of Loring Road and Loring Drive. It is important to note Leavenworth County has a resolution prohibiting the operation of commercial vehicles on county roads with limited exceptions. This resolution was developed to maintain the structural integrity of the roadways and to limit the frequency of oversized vehicles on roadways which were not engineered or constructed for such traffic. The entire proposed truck route in Leavenworth County is comprised of two roads prohibiting commercial traffic.

Referring to the traffic impact study narrative, it is proposed to simply remove the signs prohibiting commercial traffic along the haul route currently in place and update resolution 2009-50. Reason dictates these roads were included in the resolution because they were considered unsafe for large commercial vehicles to traverse or otherwise potentially damage the infrastructure. Simply removing signage and editing a resolution does not magically make these roads safe for commercial traffic. Stated upgrades to these roads in three locations certainly is a positive move, however it is really for the benefit of the Kaw Valley Company, Inc. as they will be able to enter the roadway and make turns more easily. The travelling public will still encounter and navigate around these vehicles and the integrity of the roads will continue to diminish.

Continuing, the study narrative offers a very generous description of 158th Street and Loring Road. In reality, shoulders are inconsistent in width and adjoin slopes which have been designated as recoverable, are not in all circumstances. Truthfully, sometimes a driver is able to recover and return to the hard surface if they exit the driving lane, provided speed is not a factor, weather and roadway conditions permit recovery or other obstacles such as trees, mailboxes, utility poles or driveways are avoided. Specifically, a loaded dump truck or dump trailer would have a difficult time attempting to recover once the travel lane has been departed as loads shift or the weight of the vehicle prohibits evasive action. Shoulders currently in place do not provide a safe environment to pull over for an emergency or mechanical issue. This point is punctuated on page 8 of the study which shows presumably the photographers passenger truck pulled over along 158th Street utilizing a local residents driveway entry for lack of a usable shoulder.

Lane width is typically 11' on both roads. Given that most Class 7 and Class 8 commercial trucks are 8'6'' - 9' in width, not much room is left when confronting another like sized vehicle such as a school bus or farming implement. It is estimated by local residents during the school year ten

separate school buses traverse this set of roadways every morning and afternoon. These buses stop in the traffic lane for the loading and unloading of children. (It should be noted attempts to certify the bus traffic have yielded to the school districts pandemic response).

Local Traffic & Driver Compensation

The line of sight is relatively good; however, the terrain does present obstacles which alarm me. A stopped school bus on the blind side of a hill may not be noticed by the driver of a commercial vehicle until the hill has been crested. My fear is the reactionary time required to stop or avoid a potential collision is extremely diminished. I do not question the professionalism of the applicant's drivers, but human nature lends itself to becoming complacent with repetition. If 8-10 drivers are driving this route up to an estimated 64-80 times collectively each day, will they be as focused as we would expect them to be? An accident resulting in the injury or death of someone should not be the determining factor.

Another concern is the load itself. It can be assumed there will be a minimal loss of sand with every load. Day in and day out, these minimal losses will begin to accumulate upon the driving surfaces, reducing the stopping ability of vehicles and increasing the stopping distance. This scenario lends itself to the probability of increased traffic accidents. Will the applicant be required to regularly clean the roadway or will Leavenworth County have to take on this expense and responsibility?

How are the drivers paid? By the load, by the tonnage or hourly? Hourly wages would be the most appetizing method compared to the other alternatives. If paid by the load, will drivers increase their speeds and perhaps disregard other safety measures to increase their count? If the driver is paid by tonnage, how often will the loads exceed the allowable weight thus increasing stopping distances and adding further burden to the road system? I accept this circumstance is beyond the scope of the BOCC, but I believe it is worthy to understand the compensation system in place for the reasons I have listed.

Enforcement & Accessibility

I have spoken with a representative of the Kansas Highway Patrol who is certified to perform inspections on commercial vehicles and possesses a familiarity with the area in consideration. He agrees the suggested route in Leavenworth County does not lend itself to safely conduct said inspections based upon the terrain and road structure. If a level stretch of road was deemed acceptable, it would shut down the travel lane creating a hazard for other drivers and the trooper performing the inspection. My contention is drivers will be tempted to forego responsibilities designed to ensure safety as they realize there is little chance of being stopped for the purposes of a commercial vehicle inspection.

One of the redundant concerns brought to my attention is accessibility to either the north or south sides of the railroad tracks running adjacent to Golden Road. There are two crossings along this line, both of which are routinely blocked by idle rail traffic. Kansas statute allows for trains

to block crossings for no more than 15 minutes. As a rule, this is seldom adhered to at these locations despite law enforcement intervention.

Should the crossing designated for use by the applicant be blocked, this may generate a back log of commercial vehicles stacking in the roadway awaiting access. Should this occur, the traffic safety issues I have discussed thus far will be exacerbated.

In the event both crossings are simultaneously blocked, although rare, access to the opposing side is cut off. Emergency responders have plans in place to assist each other in foreign jurisdictions, however delays will occur which may affect successful administration of life-saving aid or structural protection. Coupled to this concern is the scheduled bridge work to begin relatively soon on the 166th Street Bridge spanning the Kansas River between DeSoto and Leavenworth County. Undoubtedly, accessibility will be limited or perhaps even denied for short periods, delaying a response even more so.

Conclusion

Finally, I wish to acknowledge my input was not solicited by this body, however when considered from the standpoint of public safety, I felt as though I must provide an opinion. I have no doubt the applicant is a good company and has every intention of being a good neighbor. I understand they have taken steps to be implemented which will shield local residents from sight and sound distractions. These actions are appreciated. However, I believe the increased commercial traffic on roadways not specifically designed for such use will be a detriment to those who travel these roads and live along the route.

What is the benefit to Leavenworth County? I cannot imagine any perceived benefit will surpass the cost to Leavenworth County residents in the present or future. The proposed truck route is simply not in the best interest of Leavenworth County. This business type is more in line with a road constructed in the manner of 222nd Street between US 24-40 and K-32.

The decision before you is important. I trust this, as well as all decisions you collectively make, will be made from the stand point of what is best for Leavenworth County. It has been my intention to provide a point of view not afforded in the application or traffic impact study and I hope you find my comments helpful.

Should you have any questions or desire clarification, please do not hesitate to contact me as I am happy to assist.

Sincerely

Andrew D. Dedeke, CPM

Leavenworth County Sheriff

Cc: Mark Loughry, County Administrator

PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed <u>KAW VALLEY COMPANY – LENAPE SAND PIT</u> on the property described as <u>THE SOUTHWEST QUARTER OF SECTION 22</u>, TOWNSHIP 12, RANGE EAST AND PORTIONS OF THE NORTHEAST AND NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 12, RANGE 22 EAST OF THE 6TH P.M., LOCATED IN LEAVENWORTH COUNTY, KANSAS. ALSO KNOWN AS 00000 LENAPE ROAD/166TH & LENAPE ROAD, PARCEL ID # 235-22-0-00-00-004.00 OWNED BY THE CAROLYN E. SPRING, TRUST.

For the following reasons: THE SUP/PROJECT FAILS TO FOLLOW THE REASONABLE "GOLDEN FACTORS"

ANALYSIS, WHICH WAS SET FORTH BY THE KANSAS SUPREME COURT IN 1978 WHEN DETERMINING

ZONING ORDINANCE OR A COMPREHENSIVE PLAN (ATTACHED FOR REVIEW); OTHER FACTORS — THIS IS

AN AGRICULTURAL AREA, AIR POLLUTION, ROADWAY & TRAFFIC SAFETY, NOISE POLLUTION, PRIVATE

WELL WATER SAFETY, ALONG WITH CITY OF DE SOTO & OLATHE PUBLIC WATER WELLS. FLOOD

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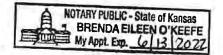
My Appt. Exp. ____

PROTEST PETITION - Page 2

KAW VALLEY COMPANY - LENAPE SAND PIT

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	Notary Public		

My Commission Expires 6 13 2022



The reasonableness standard would apply in the case of this Special Use Permit by Kaw Valley Company – Lenape Sand Pit. In the 41 years since Golden, reasonableness remains the standard of review!

GOLDEN FACTORS

Golden v. City of Overland Park, 224 Kan. 591, 598, 584 P.2d 130 (1978) the Kansas Supreme court determined that adoption of a zoning ordinance or a comprehensive plan is a legislative action. When addressing a change in zoning of a single parcel of land the court stated that "[w]hen, however, the focus shifts from the entire city to one specific tract of land for which a zoning change is urged, the function becomes more quasi-judicial than legislative."

The court suggested some factors that a zoning body might consider:

Golden Factor 1: The character of the neighborhood

Golden Factor 2: The zoning and uses of properties nearby

Golden Factor 3: The suitability of the subject property for the uses to which it has been

restricted

Golden Factor 4: The extent to which removal of the restrictions will detrimentally affect nearby

Property

Golden Factor 5: The length of time the property has remained vacant as zoned

Golden Factor 6: The relative gain to the public health, safety and welfare by the destruction of

the value of the landowner's property as compared to the hardship imposed

upon the landowner

Golden Factor 7: The conformance of the requested change to the adopted or recognized

comprehensive plan being utilized by the city :

Golden Factor 8: The recommendations of permanent or professional staff

The following matters may also be considered when approving or disapproving a rezoning/special use permit request:

- Traffic/Parking - Flood hazards - Location/Access - Soil survey

- Archaeological & Historic significance - Sewage disposal

- Topography/Drainage - Market/Economic analysis

Wildlife Presence - Water Supply

Design compatibility with surrounding area - Police/Fire/EMS protection

Ecological analysis - Demographic study

Vegetation analysis - Tax base implications

LENAPE DRAINAGE DISTRICT

Proposed Project Review
Lenape Sand Quarry

Summary

Kaw Valley Companies Inc. is proposing to construct a sand mining operation facility within the Lenape Drainage District. The following document is the district's review of the documents provided.

Review and Report Prepared: Angela Morgan, PE, LEED AP KS No. PE21159

TABLE OF COMMENTS

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Appendix C – LDD Original Letter of Request for Information	

PROPOSED PROJECT REVIEW – LENAPE SAND QUARRY

Section A – Review of KDA-DWR Stream Obstruction Permit (Dated 12.19.19)

General: Kaw Valley Sand & Gravel proposes to operate a sand mining operation at 166th & Lenape Road in rural southern Leavenworth County, Kansas. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits. There would be no permanent structures, buildings or embankments created by the proposed sand quarry. As sand is dredged from the site, a pond would form from the groundwater flowing into the excavation located approximately a half mile north of the Kansas River. The operation would be a zero-discharge-point site where all drainage would go back into the ground via the open dredging pond.

1) General section:

- a) "site contains approximately 220 acres"
 - i) Please confirm site size. Plan C-2 states 208.6 acres; NOI application states; USACE KC permit states 188 acres;
 - (1) Please clarify property size, permanently disturbed site size, and temporarily disturbed site size— 223 acres versus project area. There seems to be general inconsistencies of this number throughout the documents. Assumption is the number has developed over time and not all documents have been revised accordingly.
- b) "there would be no permanent structures, buildings or embankments"
 - i) Please confirm statement above is accurate or revise. Site facilities such as Operations office, landscape berm on south side, and truck scale are identified on plan in write up.
 - (1) Although FEMA's definition for permanent is only for structure and embankments. These site features listed above appear to meet both.
- c) "As sand is dredged from the site a pond would form from the groundwater flowing into the excavation...

 The operation would be a zero-discharge-point site where all drainage would go back into the ground via the open dredging pond"
 - i) The last statement appears to contradict the statement above it. Please provide groundwater modeling that shows predicted elevation of groundwater in dredge pond. during a 100 year and saturated soils event.
 - ii) Please identify downstream wetlands, farmlands, and users and provide analysis that this alteration to the drainage pattern will not have adverse impacts to them.

- d) "As part of the permit requirements for the KDHE NOI-NPDES Land Disturbance Permit for the site, 18" high berms were required...
 - i) The only requirement written on the permit is this:

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- ii) Confirm what agency requested this requirement.
- iii) The 18" seems impractical. How will this be maintained? What is the plan to prevent ponding within the bermed area? Provide more details for the berm itself along with equipment/truck crossing plans and sections.

tracks. The proposed driveway extension would run across open farm fields with level terrain. The driveway would be surfaced with a minimum of 6 inches of gravel. In the revised Proposed/Post-Development HEC-RAS model, additional cross sections at RS 29.9000 and RS 30.0600 were interpolated between RS 29.740 and RS 30.220, with the proposed drive alignment superimposed over the ground surface 18 inches to account for the placement of gravel along the route.

- e) "surfaced with a minimum of 6 inches of gravel"
 - i) Please provide calculations based on calculated ESAL's from traffic study that demonstrates
 6 inches of gravel would be sufficient for farm field subgrade.
 - ii) If 18 inches is provided along route, please provide analysis this will not be washed out into downstream fields/wetlands.
- 2) Corrective Effective Model:
 - a) "site GIS Lidar contours"
 - i) Please provide source and year of contours.

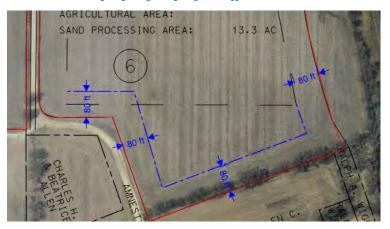
- 3) Existing or Pre-Project Conditions model:
 - a) "...there has been no new development or construction and there were no changes between corrective effective model and the Existing or Pre-Project Conditions Model"
 - i) If the original model was completed in 1977 and according to Google Earth Imagery the golf course was developed between 1991 and 2002, this statement appears to be inaccurate. Please provide the LIDAR that was used for the HEC-RAS cross sections that would include this development.



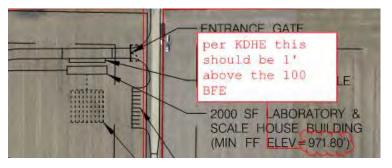
- 4) Proposed or Post-Project Conditions model:
 - a) "...the surface of the dredge pond was modeled at 782, and the lower standing water would be ineffective flow."
 - i) Please provide a source/reasoning for choosing elevation 782. Although its stated that the water below 782 is modeled as ineffective flow, the cross sections do not appear to reflect that.
 - ii) The manning's n for cross sections over the dredging pond should be lower than the manning's n for the field and river.
 - iii) How was the floodway and flood fringe modeled in the proposed conditions model? The cross sections provided don't appear to model encroachment areas.
 - iv) The cross sections shown on C8 and C7 do not appear to be the same as the cross sections in the HEC-RAS model. The elevated Golden Road and Union-Pacific Railroad Tracks are not shown. This is true for all models, corrected effective, existing conditions and post project conditions.

Section B – Review of Site Development Plans (Dated 01.04.19)

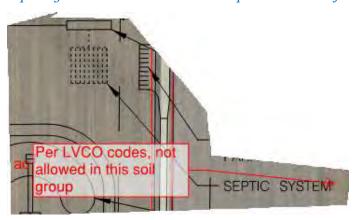
- 1) C1 Cover Sheet:
 - a) "THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR)"
 - i) Please revise to state "located within floodway zone AE".
- 2) C2 Site Plan
 - a) Phase 6 doesn't properly display 80' offset. Please confirm or revise.



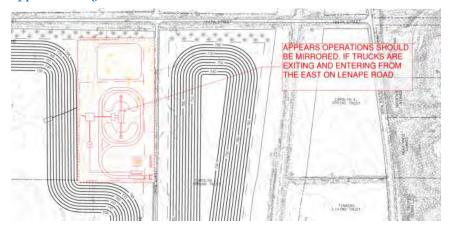
b) Minimum finished floor elevation of Scale House appears to be inaccurate. Please confirm or revise.



c) Septic System not allowed in this area per LVCO codes for soil group. Please confirm or revise.



d) Appears operations should be mirrored, if trucks are exiting and entering from the east on Lenape Road. And based on size of topsoil stockpile versus scale house, the equipment that generates noise is in approximately the same location.



e) Please show site plan and details for Phase 6. It is unclear how the north area will be dredged with operating equipment on south side of Lenape Road.

Section C – Review of Grading Plans (Dated 01.04.19)

- 1) C3 Grading Plan
 - a) Grading appears to be for final and does not show grading for proposed individual phases. Also does not show grading for proposed private driveway other than in the HEC-RAS cross sections. Please revise.

Section D – Review of KDHE NOI Permit (Dated 03.03.19)

- 1) Written Narrative Traffic Routes and Expected Traffic Volumes
 - a) "Traffic would primarily use County Road 2 (166th Street, Golden Road and 158th Street), Loring Road and K-32 Highway."
 - i) Please revise narrative to reflect current proposed route.
 - b) "It was anticipated that the site would produce 5000 tons of sand during a regular day's operation, and as many as ten to fifteen trucks per hour could enter and exit..."
 - i) This production rate and traffic count is not consistent with other documents.
- 2) Written Narrative Timeline for the Special-Use Permit Request
 - a) "could operate for twenty years"
 - i) Provide calculations for estimate. Based off volumes from grading plan and production rate of 5000 tons per day closer to 14 years at 200 days of production.

- 3) Written Narrative Site Suitability for Proposed Land Use
 - a) "The location is isolated from residential areas..."
 - This statement seems misleading. From Site Plan appears to be 5 residences within 700 feet of quarry.
- 4) Written Narrative Pollution Concerns
 - a) "The site would be a zero-point discharge operation..."
 - i) Has there been any design consideration to impacts to downstream farmland or wetlands by creating a zero-point discharge site?
 - ii) The location of the site within a floodplain and well below the base flood elevation would constitute a potential for discharge during larger storm events. Please confirm that the potential for discharge would require a NOI for stormwater runoff from Industrial Activity.
 - b) "...would also act as a sediment basin to hold sediments and keep them from washing into the Kansas River."
 - i) Has there been any design consideration to impacts on the groundwater and surrounding wells from the sediment flowing into the dredged pond?
- 5) Written Narrative Erosion Control and Good Housekeeping Practices
 - a) "Silt fence would be utilized around temporary topsoil stockpiles to stabilize the ground and prevent sediment from the material from being washed back into the dredging pond."
 - i) It's unclear based on notes on erosion control plans and SWPPP the purpose of the temporary topsoil stockpile. If it's just being used for Phase One stripping of topsoil, it is undersized for the topsoil.
 - ii) What is the plan for any overburden that lies beneath the topsoil and above the sand? A detailed plan should be provided for this material as seeding will have no effect on it.
- 6) Written Narrative Sediment Basin
 - a) "The southern dredging pond...and at full excavation would have a surface area of approximately 114 acres and a storage depth of approximately 50 ft. The northern dredging pond...would have a surface area of approximately 38 acres and a storage depth of approximately 50 ft."
 - These statements appear inaccurate if the groundwater is expected to fill the dredging pond.
 - b) "The existing grid roads running along the section, and quarter-section lines are raised relative to the agricultural fields and act as berms to contain runoff and preventing it from crossing over on to neighboring fields"
 - i) Lenape Road and Amnesty Road are not raised and there are culverts that do connect the neighboring fields therefore they will not provide containment.
 - c) The existing under-bedding is also an alluvial overbank area, which allows for the ready absorption of stormwater runoff into the underlying groundwater table..."

- i) This statement is used quite often throughout the provided documents however recent aerial imagery seem to contradict this statement. Please provide geotechnical report and/or groundwater modeling that would validate this statement.
- ii) Date of imagery below was 3/31/2019. Note evidence of standing water.

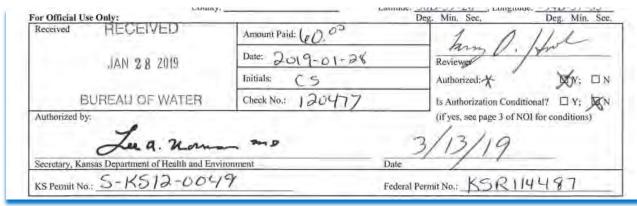


iii) Date of imagery below is 5/31/19. Note evidence of standing water.



7) Application

a)



i) Please confirm renewal of NOI.

i) This should be marked yes.

b)

c)

e)

- This should be marked No. The NOI submittals did not include the proposed private driveway.
- ii) Did this not include the north dredging pond? 146 acres seems inaccurate.
- Anticipated project Start Date: August 2019 , and Completion Date: August 2049
 - i) Please confirm completion date. The narrative states 20 years.
 - Do you plan to disturb ten or more acres that are within a common drainage area?
 If yes: Will a sedimentation basin be installed in that drainage area? (Attach design calculations for each sedimentation basin.)
 If a sediment basin is not feasible, on a separate sheet describe similarly effective erosion and sediment control measures to be implemented in lieu of a sedimentation basin.
 - i) Please provide the calculation for the sediment basin or the the effective erosion control measures to be implemented in lieu of a sediment basin
- f) Please confirm that an application for permit of NDPES from industrial activity is still going to be provided.

Section E – Review of Plant Operations Memo (Dated 06.28.19)

- 1) FEMA Flood Zone Classifications
 - a) "...shows the Lenape Sand Quarry site as covered by the floodplain within Special Flood Hazard Area Zone AE."
 - i) This should state "located within *floodway* zone AE".
 - b) "The existing ground surface ranges from approximately 779 to 783 ft."
 - i) This range seems inaccurate. Some roads and the railroad are around 791.

2) Vehicular Access

Vehicular Access: Vehicular access to and from the site would be from the intersection of 166th Street and Lenape Road. Kaw Valley plans to extract sand at the proposed Lenape Site and transport it back to their Edwardsville Processing Plant. The quarry truck route from the proposed Lenape Site would extend from the 166th & Lenape Road intersection, then north on 166th to Golden Road, then west to 189th Street, then north to K-32 Highway, then east to 98th Street, then south to Woodend Road, then east to the entrance to Kaw Valley's Edwardsville Processing Plant. Kaw Valley's drivers and any outside trucks authorized to load sand from the proposed Lenape Site would be directed to the 166th Street – Golden Road - 189th Street – K-32 Highway quarry truck route.

a)

i) Please revise. This is not the same route proposed in other documents.

.

Sanitary Sewage: There are no sanitary sewers present on the site. Restroom facilities for the laboratory would be accommodated with 'Port-a-Potty' stations, or a septic tank and leach field.

b)

i) Septic System not allowed in this area per LVCO codes for soil group.

As sand mining proceeds over time, the dredging pool would expand and shift location over the 220 acre site. Sediment removed from the raw sand material would be replaced over exhausted areas of the site as part of the reclamation efforts.

c)

 More detail should be provided to this statement. This hasn't been detailed out in the NPDES permit or the grading or erosion control plans.

d)

The site's high-capacity water pump would provide well water for the industrial aggregate washer to remove the silt and sediment from the material, then the cleaned sand and aggregate would be pumped through a short pipeline to the separator/consolidator. There the material would be graded into coarse and fine sand and deposited into separate stockpiles. Transport trucks would begin

ij

 i) Please provide details to where the removed silt and sediment from the material will be placed and/or how its handled after removed.

Mobile Construction Equipment: Wheeled loaders would be the only mobile construction equipment used at the site. A 1000 to 5000 gal fuel tank would store diesel fuel on the site for the mobile equipment. The mobile equipment would be regularly maintained and serviced by Kaw Valley's servicing staff.

e)

i) Please provide a Spill Prevention, Control, and Countermeasure.

Production and Processing Rates: At full-production capacity, the site would generate approximately 2000 tons of sand each day. The sand deposits on the site have an estimated sub-surface depth of 50 ft and could potentially yield as much as 8.3 million tons of sand.

- f)
- i) The written narrative for the KDHE NOI Permit stated 5,000 tons of sand each day. Please confirm correct production rate.
- ii) Please confirm 8.3 million tons of sand. Does this number include Phase 6?

Mosquito Control: The open dredging pool would be graded to be contiguous to avoid formation of small puddles and water pockets. The regular dredging operations would create wave action to stir the water, naturally inhibiting mosquitoes from laying eggs. Should mosquitoes become a problem, Kaw Valley would spray vegetable-based oils over water surfaces to prevent mosquito breeding.

- *g*)
- i) Based on proposed hours of operations, it would seem that mosquitoes would not be noticed by plant operation staff. Please provide more specific metrics or measures to define problem and implementation.
 - surface to elevations ranging from /32 to /36. Over time, the mining operations would create a sizable lake with the continued dredging and excavation of the site. Sediment removed from the raw sand would be returned to the ground, but would make up only a small portion of the volume of material excavated from the ground. Since the site would be located over an alluvial overbank area,

h)

- i) Please provide more detail on "returned to the ground"
- i) Environmental Permits
 - i) Please provide the permit with the State of Kansas for Dredging and Pit Mining.

Section F – Review of Structures and Drainage Study (Dated 02.17.20)

- 1) Culvert Inspections
 - a) Culvert 1 20' North of Union Pacific Railroad Tracks on 158th St
 - This culvert is located within the boundaries of the Lenape Drainage District. LDD's approval of this project will be pending the inspection and recommended results of this culvert.
 - b) Culvert 2 470' South of Golden Road and 158th St
 - i) This culvert is located within the boundaries of the Lenape Drainage District. Study determined that this culverts ability to handle additional loading is questionable and should be replaced. LDD's approval of this project will be pending the submittal of plans for the replacement of this culvert.

Section G – Review of SWPPP (Dated 05.14.19)

1) 1.0 Introduction

Valley Sand & Gravel, Inc. For activities conducted at the Site, a Notice of Intent (NOI) for coverage under this National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) and corresponding SWPPP have been prepared. This SWPPP was been prepared in accordance with the Kansas Water Pollution Control and National Pollutant Discharge Elimination System Stormwater Runoff From Industrial Activity General Permit (General Permit) effective November 1, 2016, and addresses the items required by said permit.

a)

- i) The application provided and approved was for construction activity only. Please confirm that an NOI for stormwater runoff from Industrial Activity will be provided as well.
- 2) 2.0 Pollution Prevention Team
 - a) 2.1 Designated Personnel & Pollution Prevention Team Responsibilities

conduct inspections. The Manager will be familiar with all phases of landfill operations to ensure that potential sources of pollution are considered during Plan implementation and periodic evaluations of the Plan.

- i) Please consider using mining and processing operations in lieu of landfill.
- 3) 3.0 Site Description
 - a) 3.4 Activities and Structures at the Facility

and limit the weight of the loaded vehicles before driving onto the public roadway system. A Spill Prevention, Control, and Countermeasures (SPCC) Plan has been prepared for the Site and is kept with this SWPPP.

- i) Please submit the SPCC Plan for review.
- 4) 4.0 Summary of Potential Pollutant Sources

The following lists types of activities where there is a risk of potential pollution of stormwater:

- Active dredging areas;
- Sand and gravel stockpile areas;
- Dust generation and vehicle tracking of industrial materials
- Fueling/maintenance area;
- Non-stormwater discharges;

a)

- i) As previously requested, please include management of overburden material (not just topsoil).
- ii) Also include tree removal in this list and update sections 5.0, 6.0 and 7.0 accordingly.
- b) 4.1 Activity Dredging Areas

Earthmoving equipment would excavate the sand and gravel laden material and then transport it to the material washer to clean and remove the sediment. The sediment would be stockpiled in a designated area near the washer and would ultimately be used to backfill mined areas around the site.

- i) Description seems inaccurate for dredging process. Please confirm or revise.
- 5) 5.0 Control Measures and Effluent Limits
 - a) 5.1.4 Spill Prevention and Response

A Spill Prevention Control and Countermeasure Plan (SPCC) has been completed for the Site. Follow the procedures of the SPCC to address spills and/or leaks, emergency response, and reporting requirements. The SPCC Plan will be followed by Site personnel as required. A copy of the SPCC is available on site.

- i) As previously requested, please submit the SPCC Plan for review.
- b) 5.1.5 Erosion and Sediment Controls

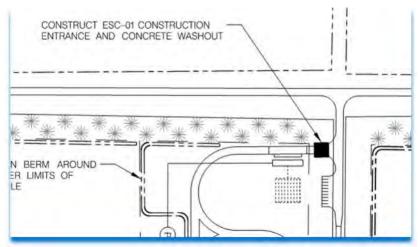
channeling/scouring erosion during storm events. The facility will use structural and non-structural control measure to minimize the discharge of sediment. The site has a water truck and it will be used to spray where appropriate to minimize dust and erosion of the onsite soils.

- i) Due to the close proximity of residents and the added traffic to aggregate roads that are not part of an established dust control system, more specific measures should be provided for when and how to control dust. EPA provides sample Fugitive Particulate Matter Emissions Prevention Implementation Plans that provide more precise responsibility and actions for controlling dust pollution on and off-site. It is recommended that this aggregate roads, temporary and long-term stockpiles, and general protection to equipment operators during the transportation.
- 6) 7.0 Corrective Actions
 - a) 7.2. Conditions Require Review to Determine if Modifications are Necessary
 - Construction or a change in design, operation, or maintenance at the Site significantly changes the nature of pollutants discharged in stormwater from the Site, or significantly increases the quantity of pollutants discharged; or
 - i) Addition of the proposed private driveway should trigger an update to the manual. Please confirm or revise.
- 7) 8.0 Recordkeeping and Reporting

a) 8.1.1 Submitting Information to Regulatory Agencies

All necessary information shall be submitted to Kansas Department of Health and Environment (KDHE) and any Municipal Separate Storm Sewer System (MS4) that will receive discharge from the Site.

- Although this is not an MS4 system, because of the location within the floodplain and drainage district, please update this section to include the Floodplain Manager of Leavenworth County and the Lenape Drainage District.
- 8) Appendix B Erosion and Sediment Control Plan and Detail Sheets
 - a) Please see comments above regarding Cover Sheet, Site Plan, and Grading plans
 - b) Erosion Control Plans -Sheet C4 and C5



- i) Location of ESC-01 is appropriate for construction of facilities but for operations, shouldn't the stabilized entrance move to end of the proposed private driveway?
- ii) Update Erosion Control Notes to include overburden stockpiling and seeding.
- iii) Tree removal should be addressed on Erosion Control Plans and in the SWPPP. Approximately 10 acres of trees will be removed for the project.
- iv) Update plans to include erosion control measures to be implemented during the construction of proposed private driveway.
- v) Phase 6 Plan should include details on dredging activities not impeding traffic through Lenape Road.
- vi) Please provide erosion control details.

c) Reclamation Plan Sheet C6

- i) Notes should include KDA requirements for reclamation.
- ii) Completion of Mining Operations
 - (1) Removal of any remaining overburden or topsoil stockpile. Removal of all sand stockpiles. Abandoning in place procedures for septic tank or removal of sanitary facilities.

- d) Please see comments above regarding HEC-RAS Cross-Sections Sheets C7-C8
 - (1) Plans need updated to include C7A and C8A.
- 9) Appendix C KDHE NPDES General Permit for Construction Activities
 - a) Please see comments above regarding Application
- 10) Appendix D KDHE NOI Authorization Documents
 - a) Please see comments above regarding approval

Send completed 3 page NO1 form with original signature and all appropriate submittals (see page 3 of NOI) to:	Note: A copy of the permit can be obtained at: www.kdheks.gov/stormwater or by submitting a written request to KDHE.
Kansas Department of Health and Environment	KDHE Contact Information: * 5 to 6/12 9 distarbee areas
Bureau of Water, Industrial Programs Section	Dhann: (795) 206 5545
1000 SW Jackson, Suite 420	E-mail: kithe stormwaternaks on in aluding topsoil stockpiles
Topeka, KS 66612-1367 with mulch of ca	wivalend in addition to any seeding complete are of 3
Effective August 1, 2017 Notice of Intent (NOI) for Discha	irge of Stormwater Bunoff from Constantinfon Activities Page 1 of 3
Cance Delice and all all all and all all all all all all all all all al	10/0

b)

- i) Note should be added to erosion control plans and SWPPP when updated.
- c) Please see comments above regarding written narrative.
- d) KDA 2/26/19 Floodplain Fill WSN LLV-0151 Notice No. 2019021

Proof of Completion form is enclosed for this purpose. Other special conditions have been added to limit the removal of timber and vegetation, to prohibit the introduction of toxic or deleterious materials into the watercourse, and to require the project meet the floodplain management requirements of the community.

e)

- i) Please note this includes Floodplain Manager for Leavenworth County and the Lenape Drainage District.
- f) USACE Letter Dated February 14, 2019 (pages 59 -60)
 - Letter provided appears to be recognition of application but does not provide approval. Recommend removing this letter from the SWPPP. Letter from USACE dated May 9, 2019 seems more applicable to include.
- g) US Department of Interior Fish and Wildlife Service Dated February 11, 2019 (pages 61-62)
 - Letter appears to be incomplete and does not provide approval of wetland disturbance
- h) Email from Jordan Hofmeier (KDWPT) to Janelle Phillips (KDA) dated February 5, 2019 (pages 63-64)

Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

i) Please provide updated applicability of assessment report. Updates sent to KDWPT should include the proposed private driveway.

- i) Email from Jordan Hofmeier (KDWPT) to Brian Donahue (USACE) dated February 5, 2019 (pages 65-66)
 - conservation. No Department of Wildlife, Parks, and Tourism permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits or reviews may be
 - i) Please provide updated applicability of assessment report. Updates sent to KDWPT should include the proposed private driveway.
- j) Email from Tiffany DeLong to Brian Donahue (USACE) dated January 31, 2019 (page 69)
 - (2) the applicant utilizing a well to supply water and returning pumped water to the excavated pit rather than discharging to the adjacent river (3) the avoidance of 0.81 acres of wetland (4) the inclusion of a plan for overburden solls and (5) choosing a location with little to no forested wetlands.
 - i) As previously noted, please provide this plan for overburden soils for review.
- *k)* USACE Letter Dated May 9, 2019 (pages 75 -86)
 - Permit Drawings: Location map, plan view, Sheets 4 of 4 dated 26 April 2019.



(1) Wetlands on north end do not indicate to be filled however based on grading plans provided these would be filled.

- (2) Plan needs updated to include proposed private driveway and assessment to wetlands.
- f. You must excavate, dredge and/or fill in the watercourse in a manner that will minimize increases in suspended solids and turbidity which may degrade water quality and damage aquatic life outside the immediate area of operation.

ii)

- (1) Proposing to use the dredged pond as a sediment basin appears to contradict this requirement. Please confirm.
- You must store all construction materials, equipment, and/or petroleum products, when not in use, above anticipated high water levels.
 - (1) Grading plans or narrative provided did not indicate this requirement. Please address or update accordingly.
- l) Letter from KDHE to Mr. Brian Donahue (USACE) dated April 18, 2019 (pages 87 -94)

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The development plan avoids 0.52 acre of impact to wetland #16 and 0.29 acre of wetland #17, for a total of 0.81 acres of wetland avoidance. Mitigation for unavoidable impacts of the project are proposed by the applicant through the purchase of wetland credits from an approved mitigation bank."

i)

- (1) As stated above, the grading plan does not appear to avoid these wetlands.
 - 5) Runoff from construction and operation of the project is subject to the requirements of the National Pollutant Discharge Elimination System (N.P.D.E.S.) for industrial activities. Kaw Valley Companies, Inc., shall apply for this permit by completing and submitting an N.O.I. for an Industrial Stormwater General NPDES Permit to KDHE Bureau of Water - Industrial Programs (BOW IP). The form and instructions can be found at:

http://www.kdheks.gov/stormwater/download/5.1 Industrial Stormwater Notice of Intent Form NOI & Instructions.pdf.

Please contact Mr. Eric Staab, P.E. at 785-296-4347 or Eric Staab@ks.gov for more information. Furthermore, this permit requires a Stormwater Pollution Prevention Plan (SWP3) be prepared for implementation, kept on site and be available for submittal to KDHE BOW IP. Additional resources to assist with preparation of a SWP3 can be found at: http://www.kdheks.gov/stormwater/#indust.

ii)

- (1) As previously noted, this permit does not appear to be provided in documents for review. Please provide.
- iii) Please update SWPPP to address the items listed in condition 8 of approval.
 - (1) Riparian Areas; Fertilizer; Solid Waste; Fuels, Chemicals and Maintenance Areas; Spills; List of Public and Private Well Owners

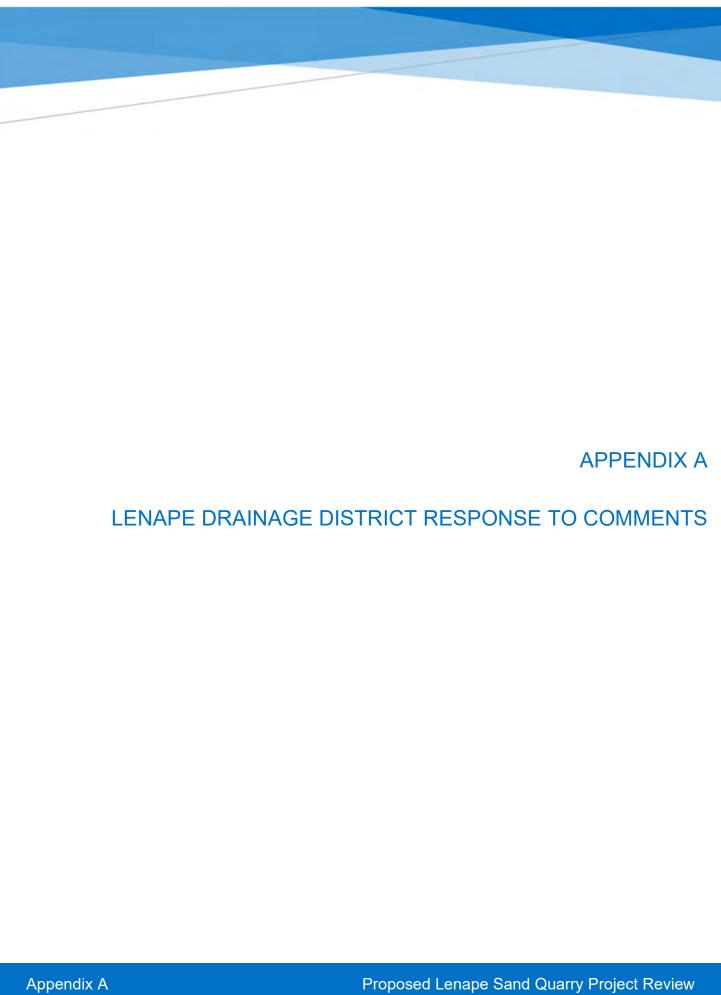
Section H – Review of Traffic Study (Dated 02.18.20)

LDD has no comments to the traffic study as it is not within our jurisdiction. It is worth noting that the number of trucks seem to vary throughout all the documents provided. It is assumed that this is due to progression of design, but calculations should be provided to demonstrate the estimated volume is in line with the estimated extraction volumes.

As previously requested, please provide detailed calculations and plans for any proposed modifications to crossings or impacts to LDD maintained berms or drainage channels.

Conclusion

At this time of review, the Lenape Drainage District requires more information or clarification to the comments provided. Approval from the LDD will be pending submittal and review of this information.



RESPONSE TO COMMENTS – LENAPE SAND QUARRY

1) The No-Rise calculations and certified letter of approval from the Floodplain Manager for the work associated within the floodway. The project has received approval from KDA-DWR for a Stream Obstruction Permit. CFS Engineers and the Kaw Valley Companies are in process of submitting the County Floodplain Development Permit to Leavenworth County. Copies of the applications, calculations and approval letter from KDA-DWR have been enclosed with the responses to the review comments.

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section A.

2) A site plan showing the relationship of proposed plant operations facilities in relationship to the property boundary (including but not limited to, mechanical equipment, any permanent equipment tied down, utilities, permanent berms or fencing). Copies of the following sheets in the Site Development Plans for the proposed Lenape Sand Quarry have been included with the responses to the review comments:

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section B.

3) Plan(s) showing the proposed phases of quarry and proposed stockpile locations in relationship to the property boundary. Plans should include approximate stockpile size and any proposed modifications to existing drainage patterns for each phase. The Site Plan and Grading Plan from the Site Development Plans show the proposed location of the stockpile areas along the south side of Lenape Street. The HEC-RAS Cross-Section Cut sheet shows a maximum stockpile height of approximately 16 ft.

LDD Response: Thank you for providing. In reviewing the plans, it appears that proposed grading does not tie into existing grading and the surrounding existing drainage patterns are not addressed. Please provide detailed grading plans. If this is not going to be completed prior to the approval of Special Use Permit from Leavenworth County, approval of project from LDD will list review of these plans as a special condition.

4) Any proposed changes to existing drainage patterns and calculations to support the improvements. There are no large creeks or drainage-ways that flow across the proposed Lenape Sand Quarry. The existing roadside ditches along 166th Street and Lenape Road would not be disturbed or altered by the proposed quarry dredge pond limits or in setting up the quarry production area along the south side of Lenape Road.

LDD Response: Agreed. As requested above, please provide proposed impacts to drainage to the north, east and south side of the site. Specifically addressing concerns to changes in runoff volume to downstream farm fields or wetlands.

5) Any proposed improvements to roads that cross drainage management channels. The existing roads surrounding the proposed quarry would not be altered. The gravel portion of 158th Street between the Union-Pacific Railroad tracks and Golden Road would be widened to 26 ft and surfaced with asphalt, and the existing crossroad culverts under this roadway segment would either be extended or replaced. Plans for the 158th Street widening and surfacing are pending upon approval of the project.

LDD Response: Since this is not going to be completed prior to the approval of Special Use Permit from Leavenworth County, approval of project from LDD will list review of these plans and approved permits from Union-Pacific for work within the right of way as a special condition.

6) Any proposed crossings of existing drainage ways and proposed improvements at existing crossing including calculations. The proposed access drive extension from the eastern side of the quarry would turn north to connect into 158th Street, crossing the drainage management channel along the south side of the Union-Pacific Railroad tracks. An estimated 18" or 24" CMP or HDPE drainage culvert would be placed to allow runoff from the west to pass and drain eastwards towards the Kansas River located approximately ¾ miles to the east. Drainage calculations are pending on approval of the project.

LDD Response: Since this is not going to be completed prior to the approval of Special Use Permit from Leavenworth County, approval of project from LDD will list review of detailed plans for this improvement as a special condition. Grading plan for Phase 5 will also need to allocate space for LDD to access the berm on the southeast corner of the property for maintenance and inspections.

7) The stormwater pollution prevention plan that accompanies the approved Notice of Intent from the Kansas Department of Health and Environment. KDHE reviewed the SWPPP and erosion control plans for the proposed Lenape Sand Quarry and granted approval on 03-13-19. A copy of the SWPPP and the approved KDHE application has been provided with the responses to the review comments.

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section D.

8) The maps, plans, profiles and specifications that were filed with the application that received the approval from the Chief Engineer of the Division of Water Resources with Kansas Department of Agriculture for the placement of fill along the Kansas River. The proposed Lenape Sand Quarry project received approval from KDA-DWR on 12-30-19 after the plans for the project to include the eastern driveway extension to 158th Street were submitted. Copies of the submittal documents to KDA-DWR have been included with the responses to the review comments.

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section A.

9) Approval letters and permits from the US. Army Corps of Engineers, Kansas City District. Terra Technologies of Overland Park was Kaw Valley's environmental consultant for the Lenape Sand Quarry project. A copy of their approved permit has been included with the responses to the review comments.

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section G.

10) Approval letters and permits from applicable agencies not included in the list above but relevant to the nature of the review for the Lenape Drainage District. A copy of the revised 02-15-20 Lenape Structures and Drainage Study has been included with the responses to the review comments.

LDD Response: Thank you for providing. Comments are provided in Proposed Project Review under Section F.

APPENDIX B

CFS ENGINEERS RESPONSE TO LDD REQUEST FOR INFORMATION

February 26, 2020

The Lenape Drainage District Board: Tom Kelly, Stacey Schmitt, and Mark Tinberg 17322 Golden Road Linwood, KS 66052

The following are responses to your February 14, 2020, letter requesting information on the proposed Lenape Sand Quarry at 166th & Lenape Road in Leavenworth County.

1) The No-Rise calculations and certified letter of approval from the Floodplain Manager for the work associated within the floodway. The project has received approval from KDA-DWR for a Stream Obstruction Permit. CFS Engineers and the Kaw Valley Companies are in process of submitting the County Floodplain Development Permit to Leavenworth County. Copies of the applications, calculations and approval letter from KDA-DWR have been enclosed with the responses to the review comments.

2) A site plan showing the relationship of proposed plant operations facilities in relationship to the property boundary (including but not limited to, mechanical equipment, any permanent equipment tied down, utilities, permanent berms or fencing). Copies of the following sheets in the Site Development Plans for the proposed Lenape Sand Quarry have been included with the responses to the review comments:

C1-Cover Sheet

C2-Site Plan

C3-Grading Plan

C4-Erosion Control Plan Phase-I

C5-Erosion Control Plan Phase-II

C6-Reclamation Plan

C7-HEC-RAS Cross-Sections

C7A-HEC-RAS Cross-Sections (East Driveway Extension from 158th Street)

C8-HEC-RAS Cross-Section Cuts

C8A-HEC-RAS Cross-Section Cuts (East Driveway Extension from 158th Street)

3) Plan(s) showing the proposed phases of quarry and proposed stockpile locations in relationship to the property boundary. Plans should include approximate stockpile size and any proposed modifications to existing drainage patterns for each phase. The Site Plan and Grading Plan from the Site Development Plans show the proposed location of the stockpile areas along the south side of Lenape Street. The HEC-RAS Cross-Section Cut sheet shows a maximum stockpile height of approximately 16 ft.

4) Any proposed changes to existing drainage patterns and calculations to support the improvements. There are no large creeks or drainage-ways that flow across the proposed Lenape Sand Quarry. The existing roadside ditches along 166th Street and Lenape Road would not be disturbed or altered by the proposed quarry dredge pond limits or in setting up the quarry production area along the south side of Lenape Road.

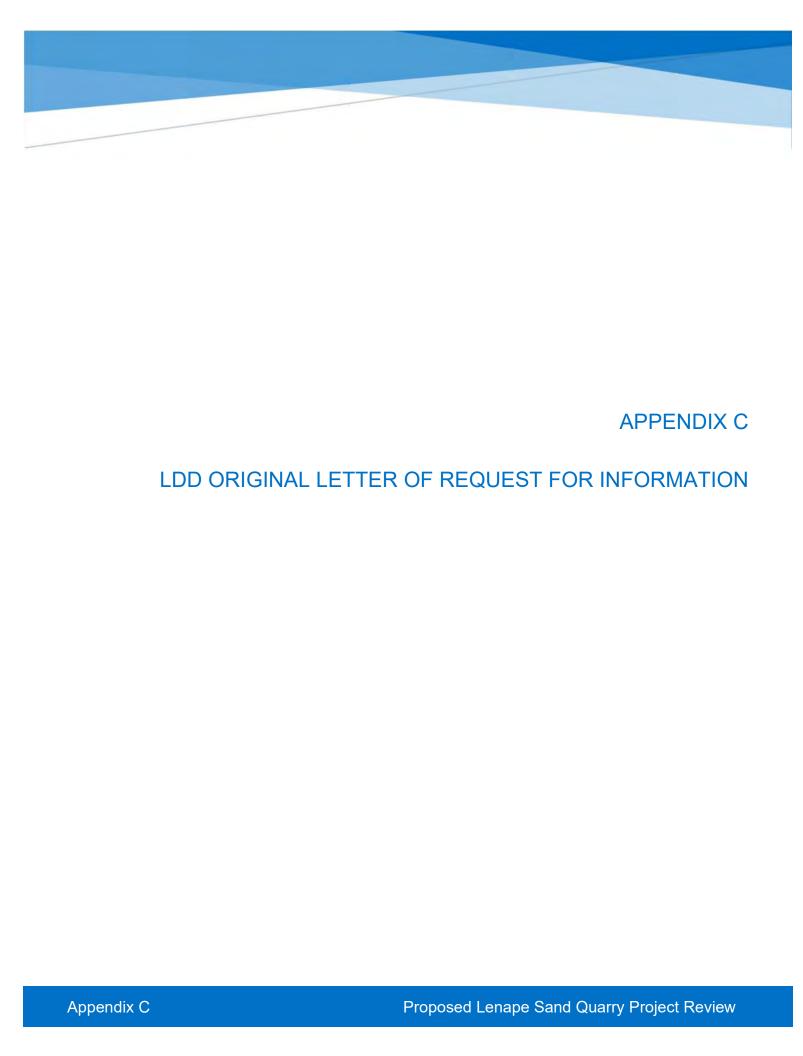


- 5) Any proposed improvements to roads that cross drainage management channels. The existing roads surrounding the proposed quarry would not be altered. The gravel portion of 158th Street between the Union-Pacific Railroad tracks and Golden Road would be widened to 26 ft and surfaced with asphalt, and the existing cross-road culverts under this roadway segment would either be extended or replaced. Plans for the 158th Street widening and surfacing are pending upon approval of the project.
- 6) Any proposed crossings of existing drainage ways and proposed improvements at existing crossing including calculations. The proposed access drive extension from the eastern side of the quarry would turn north to connect into 158th Street, crossing the drainage management channel along the south side of the Union-Pacific Railroad tracks. An estimated 18" or 24" CMP or HDPE drainage culvert would be placed to allow runoff from the west to pass and drain eastwards towards the Kansas River located approximately ³/₄ miles to the east. Drainage calculations are pending on approval of the project.
- 7) The stormwater pollution prevention plan that accompanies the approved Notice of Intent from the Kansas Department of Health and Environment. KDHE reviewed the SWPPP and erosion control plans for the proposed Lenape Sand Quarry and granted approval on 03-13-19. A copy of the SWPPP and the approved KDHE application has been provided with the responses to the review comments.
- 8) The maps, plans, profiles and specifications that were filed with the application that received the approval from the Chief Engineer of the Division of Water Resources with Kansas Department of Agriculture for the placement of fill along the Kansas River. The proposed Lenape Sand Quarry project received approval from KDA-DWR on 12-30-19 after the plans for the project to include the eastern driveway extension to 158th Street were submitted. Copies of the submittal documents to KDA-DWR have been included with the responses to the review comments.
- 9) Approval letters and permits from the US. Army Corps of Engineers, Kansas City District. Terra Technologies of Overland Park was Kaw Valley's environmental consultant for the Lenape Sand Quarry project. A copy of their approved permit has been included with the responses to the review comments.
- 10) Approval letters and permits from applicable agencies not included in the list above but relevant to the nature of the review for the Lenape Drainage District. A copy of the revised 02-15-20 Lenape Structures and Drainage Study has been included with the responses to the review comments.

If you have questions or further comments regarding the project or the letters, permits or reports, or the responses to the review comments, please call or e-mail.

CFS Engineers, P.A. Sincerely

Thomas E. Ingram, PE



The Lenape Drainage District
Board: Tom Kelly, Stacey Schmitt, and Mark Tinberg
17322 Golden Road
Linwood, KS 66052
February 14, 2020

Justin J. Johl Shook Hardy & Bacon 2555 Grand Boulevard Kansas City, MO 64108

Dear Justin J. Johl:

We have received your letter of notification of an application for a Special Use Permit (SUP) with the county of Leavenworth for the operation of a sand quarry within the boundaries of Lenape Drainage District. The letter mentioned the proposed location is on the southwest corner of 166th Street and Lenape Road. We are unable to find any SUP associated with that property.

We did however find this from Planning and Zoning: Case No. DEV-19-008 Consideration of an application for a Special Use Permit for a Surface Mining and Sand Quarry, Lenape Sand Quarry on a tract of land located in the southwest quarter of Section 22, Township 12 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas Also known as 00000 Lenape Road Request submitted by Kaw Valley Companies. This appears to be east of the location in your letter. If DEV-19-008 is not the SUP your letter is referencing, please provide the exact Case Number filed with Leavenworth County Planning and Zoning. If this is the correct SUP, we require some additional information to ensure there are no impacts to the drainage district pursuant to K.S.A. Chapter 24 Article 4.

Please provide the following information either in hard copy or electronic format:

- 1) The No-Rise calculations and certified letter of approval from the Floodplain Manager for the work associated within the floodway.
- 2) A site plan showing the relationship of proposed plant operations facilities in relationship to the property boundary (including but not limited to, mechanical equipment, any permanent equipment tied down, utilities, permanent berms or fencing).
- 3) Plan(s) showing the proposed phases of quarry and proposed stockpile locations in relationship to the property boundary. Plans should include approximate stockpile size and any proposed modifications to existing drainage patterns for each phase.
- 4) Any proposed changes to existing drainage patterns and calculations to support the improvements.
- 5) Any proposed improvements to roads that cross drainage management channels.

Justin J. Johl February 14, 2020 Page 2

- 6) Any proposed crossings of existing drainage ways and proposed improvements at existing crossing including calculations.
- 7) The stormwater pollution prevention plan that accompanies the approved Notice of Intent from the Kansas Department of Health and Environment.
- 8) The maps, plans, profiles and specifications that were filed with the application that received the approval from the Chief Engineer of the Division of Water Resources with Kansas Department of Agriculture for the placement of fill along the Kansas River.
- 9) Approval letters and permits from U.S. Army Corps of Engineers, Kansas City District.
- 10) Approval letters and permits from applicable agencies not included in the list above but relevant to the nature of the review for the Lenape Drainage district.

Once the aforementioned items have been submitted, we will engage a review by our on-call engineer and assess any potential impacts to the Lenape Drainage District. At that time, any additional information required to assist with the evaluation will be requested in writing. Please allow 30-45 days for the review process once all items have been received.

If you have any questions please submit them to LenapeDrainageDist@outlook.com.

Digital submittals less than 20 MB can be submitted to LenapeDrainageDist@outlook.com.

Digital submittals larger than 20 MB shall be mailed on a flash drive to:

Stacey Schmitt 17322 Golden Road Linwood, KS 66052

Or any hard copies shall be mailed to:

Stacey Schmitt 17322 Golden Road Linwood, KS 66052

Sincerely,
The Lenape Drainage District
Board: Tom Kelly, Stacey Schmitt, and Mark Tinberg



COUNTY OF LEAVENWORTH

DEPARTMENT OF PUBLIC WORKS ROAD POLICY SUMMARY



MEMORANDUM May 21, 2019

TO: Krystal Voth - LVCO Planning & Zoning

FROM: Michael Spickelmier – LVCO Public Works

RE: DEV-19-007 Lenape Sand Plant – Public Works Comments

Traffic Impacts: As we discussed internally and with representatives from the Kaw Valley Companies. The proposed increase in truck traffic will impact the current roadway system. We are recommending the following be taken into consideration and/or conditions of the permit:

- Designated Haul Routes to limit traffic to those roads and prohibit on other roadways. Primarily using either Golden Road to the west or CR#2 to Loring Road to the east. Both are of similar distance along LVCO Maintained Roadways.
 - West Route (Golden Road / County Route #26)
 - 3.8 Miles / 20,104 L.F. 26 Parcels.
 - Also requires travel on K-32 for east and westbound
 - Provisions for the expected damage to Bridge SH-61
 - \$417,200 Replacement Cost per NBI
 - \$13,276.64 per year for 20 years
 - Traffic / Engineering Study that addressed the entrance and exit from Kansas Highway 32 (K-32) and County Route #26, with concurring authorization from the Kansas Department of Transportation
 - Annual Roadway Impact Fee of \$93,300
 - o East Route (Golden Road / 158th Street / Loring Road / CR#2 and CR#32)
 - 4.2 Miles / 22,383 L.F. 68 Parcels.
 - Shortest distance to eastbound to WYCO
 - Greater traffic on CR#2 / CR#32 and more residential impacts.
 - No load restricted bridge on the route
 - Annual Roadway Impact Fee of \$107,800
- Sand Plant Entrance and 166th Street south of UPRR (County Route #2)
 - o UPRR traffic leads to long cue and delay of vehicles multiple times daily.
 - o Recommend dedicated turn lane on 166th Street to accommodate large truck on southbound lane
 - o Recommend acceleration lane on 166th for northbound trucks from plant
 - o Installation of Truck Turning and Plant Entrance Signs on 166th street



COUNTY OF LEAVENWORTH

DEPARTMENT OF PUBLIC WORKS ROAD POLICY SUMMARY



MEMORANDUM July 3, 2019

TO: Krystal Voth - LVCO Planning & Zoning

FROM: Michael Spickelmier – LVCO Public Works

RE: DEV-19-008 Lenape Sand Plant – Public Works Supplemental Comments

In addition to the comments identified in the Memorandum dated 5.21.2019, Public Works has the following items:

- The preferred route between the proposed site and their Edwardsville operation is the eastern route (Route 2). This is the shortest distance that the trucks will be operating within Leavenworth County.
- The intersection of County Route #2 (158th Street) and Loring Road will require additional study by their engineering and traffic consultant.
 - o Volume and potential cueing must be addressed
 - o Sight distance analysis for all directions of that intersection
 - o Proposed additional signage plan
- Proposed additional signage along the entire recommended route.
- Identification of any addition hazards and mitigations along the recommended route.
- The intersection of Golden Road and 166th Street (County Route #2) will require additional study
 - o There is a concern for cueing for both turning trucks, as well as the interaction with the UPRR. This was identified, on the earlier memo, but we want to ensure that this intersection is included in the in-depth study area for the report.
 - o Sight distance analysis for all directions of this intersection.
 - o Proposed addition signage plan (to include area around the railroad crossing)

SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department 300 Walnut, St., Suite 30 County Courthouse Leavenworth, Kansas 66048 913-684-0465

CAMA No. 235.22-0.00-00-004 Township Sherman Planning Commission Date: 3 13/19 Project No. DEV-19-008	Date Paid 111619				
APPLICANT/AGENT INFORMATION	OWNER INFORMATION				
NAME Kaw Valley Companies, Inc.	NAME Carolyn E. Spring, Trust				
ADDRESS 5600 Kansas Avenue	ADDRESS 425 Crescent Circle				
CITY/ST/ZIP Kansas City, KS 66106	CITY/ST/ZIP Albert Lea, MN 56007-1482				
PHONE 913-281-9950 EMAIL danh@kvco.net	PHONEEMAIL				
CONTACT PERSON Dan Hays	CONTACT PERSON				
Proposed land use Open Surface Sand Mining Operation Proposed structures Reason for requesting a Special Use Permit Changing the existing agricultural land use to a sand quarry.					
	TY INFORMATION				
Address of property Southeast Corner of 166th & Lenape Road, Leavenworth County					
Parcel size 224 acres +/-					
Existing structures Small field shed. No occupiable residential houses or structures.					
Current use of the property_ Agricultural					
Does the owner live on the property? No					
	of the aforementioned property situated in the unincorporated portion of ereby officially apply for a Special Use Permit as indicated above. I hereby agree permit by the Board of County Commissioners. Date				

ATTACHMENT A

OWNER AUTHORIZATION

I/WE	Carolyn E. Spring	, hereby referred to as the		
"Unde	ersigned", being of lawful age, do hereby on this 16 day of _	Jun., 20/9, make the following		
	ments, to wit:			
I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple abothe following described real property				
	See Exhibit A attached hereto and incorporated herein by refe			
2.	I/We the undersigned, have previously authorized and hereby	authorize Kaw Valley Companies, Inc.		
	(Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas,(common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily			
	required of Applicant in the application process.			
3.	I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly our of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs are groundless, false or fraudulent.			
4.	It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.			
IN WI	ITNESS THEREOF, I, the Undersigned, have set my hand and	seal below.		
Owne	arolen E. Spring trust Owner			
	TE OF KANSAS NTY OF LEAVENWORTH			
	foregoing instrument was acknowledge before me on this 16 d.	ay of <u>Jantier</u> , 20 17.		
My C	Commission Expires: 3/1/19	Lyn		
	THOMAS PRICH Notary P	ublic		

SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department 300 Walnut, St., Suite 30 County Courthouse Leavenworth, Kansas 66048 913-684-0465

The Planning and Zoning Staff will review the proposed development and discuss plans and policies; which may affect the site in question. The applicant may be asked to provide additional information for further review.

The Planning Commission meets on the second Wednesday of each month. Items are assigned a hearing date based upon the date on which they are received; A complete application must be received at least 45 days prior to the Planning Commission meeting date. The Applicant should attend the meeting, as they will be provided time to speak to the Commissioners about their application and may be asked questions by the Commission.

The Planning Department advises the Commission through presentation of a staff report, which recommends approval, approval with conditions, or denial. Conditions will be attached to most Special Use Permits. After the meeting, the Applicant will be notified in writing of the Commission's recommendation. Any member of the public, not just those notified by mail, may express his/her opinion regarding the application at the Planning Commission meeting.

Members of the Planning Commission evaluate the application, giving consideration of the recommendations from the planning Staff. They may impose any conditions they consider necessary to ensure public safety, health, and welfare. The Commission makes a recommendation to the Board of County Commissioners as to whether the permit should or should not be approved.

Fo	r the application to be accepted by the Planning and Zoning Department, the following items must be submitted:
X	Application Form
M	Application Fee
M	Owner Authorization
M	Deed showing ownership
	Site Plan (if applicable)
	Building Plans (if applicable)
X	Narrative

I Dan Hays, Kaw Valley Companies, Inc. (printed name of (circle one) agent attached and completed application contains the information as specified above in accompleted application contains the information as specified above in accomplete application.	
County Zoning and Subdivision Regulations. I understand the submission of incom	
result in a delay in processing and action on this application.	• *************************************
Clark Hars	1-16-2019
Signatura	Date

WRITTEN NARRATIVE REQUIREMENTS

Written Narrative Description: A written narrative description of the proposed use must be submitted that addresses:

- The hours of operation, traffic routes and expected traffic volumes, staffing levels, methods of operation, and off-street parking.
- The number of months/years for which the permit is requested
- The number of months the use is projected to be and whether the character of the use would tend to be seasonal or vary during the duration of the permit.
- The reasons that appear to make the site in question appropriate for the proposed use.
- · Whether and the extent to which the use could cause pollution
- The steps to be taken to cause the use to be compatible with other parcels of real property near the site in question.
- Any other such reasonable information about the proposed use that would be necessary or helpful for the impacts of the proposed use to be fully evaluated and considered.

See the attached Written Narrative	

Attach additional sheets as necessary

Attachment D

Lenape Sand Quarry
Written Narrative Description of Proposed Use for Special Use Permit 06-28-19

<u>General</u>: Kaw Valley Sand & Gravel proposes to operate a sand mining operation at 166th & Lenape Road in rural southern Leavenworth County, Kansas. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits.

<u>Hours of Operation:</u> 6:30 am to 6:30 pm, Monday thru Friday. Truck traffic in and out of the site would be restricted between 7:00am and 3:00pm on regular weekdays.

Traffic Routes and Expected Traffic Volumes: The quarry truck route from the proposed Lenape Site would extend from the 166th & Lenape Road intersection, then north on 166th to Golden Road, then west to 189th Street, then north to K-32 Highway, then east to 98th Street, then south to Woodend Road, then east to the entrance to Kaw Valley's Edwardsville Processing Plant. Kaw Valley's drivers and any outside trucks authorized to load sand from the proposed Lenape Site would be directed to the 166th Street – Golden Road - 189th Street – K-32 Highway quarry truck route. The site would have 3 regular employees for the sand dredging and processing operations. An estimated 8 to 10 truck trips per hour or 64 to 80 truck trips per day would drive to the site each regular weekday between the hours of 7:00am and 3:00pm. It was anticipated that the site would produce 2000 tons of sand during a regular day's operation. The site would include a weight scale to check outgoing trucks and ensure that the vehicles did not exceed allowable weight limits on the roadways.

<u>Staffing Levels:</u> The site would have 3 regular employees for the sand dredging and processing operations. Various service and maintenance personnel would visit the site on a non-regular basis for equipment and machinery maintenance.

Method of Operations: The sand dredging operations would be self-contained on the site. Work would commence at 6:30 am and end at 6:30 pm on regular weekdays. The following outline shows the different tasks that would be performed as part of the plant's daily routine:

- 1. During the early stages of operation, the high-capacity water pump would flood the dredging pool. After the excavation work has advanced, groundwater would fill the excavation pit like a pond.
- 2. A dredge line would begin vacuuming material into a slurry pipeline that would feed into the industrial aggregate washer.
- 3. The industrial aggregate washer would separate and remove the sediments from the sand material. The sand would be pumped through a second slurry pipeline to the separator/consolidator.
- 4. The separator/consolidator would grade the sand into coarse and fine materials. Two rotating conveyor belts would radiate out from the separator/consolidator and deposit the graded sand onto two half-donut shaped stockpiles. Surplus sand may also be stockpiled near the main entrance at 166th & Lenape Road.
- 5. A loader would scoop sand material and load it into trucks for weighing and transport to Kaw Valley's Edwardsville processing plant, or to other aggregate/concrete companies locations.

Off-Street Parking: There would be an 8-space head-in parking area off of Lenape Road. Lenape is a

low-volume gravel farm road, and the site would have 3 regular employees.

<u>Timeline for the Special-Use Permit Request:</u> Kaw Valley anticipates that the Lenape Sand Quarry could operate for twenty years, depending on the level of demand for the company's sand products. The plant would be open and operational year-round with variation in seasonal production. Since the company's primary customers are construction related, spring, summer and fall would be the busiest periods with demand falling off during the colder winter months.

Site Suitability for Proposed Land Use: The proposed site is ideal for use as a sand quarry. The location is isolated from residential areas, there are adequate roadways to accommodate the small volume of traffic the facility would generate, and the site is located a quarter mile off of the river and would avoid direct in-river dredging or discharge of drainage. The only utility lines are Westar's overhead electrical lines along 166th Street. The site has sand deposits extending 50 ft below ground surface. As part of the reclamation plan, the high groundwater levels would form a pond over the excavation area that could be used for fishing and recreation.

<u>Pollution Concerns:</u> The site would be a zero point discharge operation with the proposed dredge pond serving as a sedimentation basin to trap erosion and sediments to prevent them from flowing into the Kansas River. The surrounding terrain consists of flat agricultural fields and there are no major creeks or drainage-ways flowing through the site. The surface mine would be a large open-pit that would form into a lake with the advent of high ground water levels, and would also act as a sediment basin to hold sediments and keep them from washing into the Kansas River. There would be no hazardous chemicals stored on site or used in the sand production process. Kaw Valley would use all electric production equipment to minimize the use of diesel fuel and oil. All lubricants for the site's equipment and machinery would be non-toxic and biodegradable.

<u>Restoration of the Site:</u> Once the sand quarrying operations have been concluded at the site, the existing excavation pit would fill with ground water to serve as a lake for the property owners. The lake would provide private recreation for fishing and swimming, and would serve as a refuge for the local wildlife.

Noise Control: Sound volume levels were measured at Kaw Valley's Morse Plant located at 2400 S 78th Street in Kansas City, Kansas, where a diesel powered loader was actively loading semi trailers. Sound volume measurements were also taken at Holiday Sand & Gravel's sand dredging site at 43rd & Frisbee Road in Shawnee, Kansas, where electric dredges were in use on the Kansas River and also in the site's off-river dredging pond. Sound measurements were also taken at the electric pump / washer / and separator conveyor belt. Sound levels were measured using calibrated decibel meters along with sound meter apps available on smart phones.

An analysis of potential noise generated by the mobile equipment and the stationary processing machinery on the proposed Lenape Sand Quarry was made to estimate the potential noise levels on the Burning Tree Golf Course and the residential homes along Golden Road to the north of the site. Under the Phase 1 operations at the initial start-up of the Lenape Site, the approximate noise level at the southern border with the Burning Tree Golf Course was calculated at 33.5 dBA. Under the Phase 2 operations with the electric dredging barge operating at its closest point to the Burning Tree Golf Course, the approximate noise level at the southern border was calculated at 51.6 dBA. Under the Phase 6 operations with the electric dredging barge operating on the north side of Lenape Road, the plant's noise projected north onto the houses along north side of Golden Road was calculated to be approximately 35.3 dBA.

To help mitigate noise from the site, the following measures would be taken in the planning and operation of the site:

- The stationary processing equipment would be installed near the southeastern corner of 166th & Lenape approximately 2300 ft north of the golf course.
- Kaw Valley plans to use electrical power for the dredge line, industrial aggregate washer and the separator/consolidator, as opposed to units requiring diesel fuel. Electrical units would operate with much less noise and maintenance, would not need to be constantly supplied with gasoline or diesel fuel, and would not have the environmental spill containment requirements of their petroleum powered counter-parts.
- All production area processing equipment would be turned off when not in use.
- Processing equipment would be kept well-maintained with regular lubrication to keep the workings as quiet as possible.
- Work activity could be scheduled to build-up a stockpile of surplus of material late in the
 afternoon so that processing equipment can be left off during the early morning hours.
- A line of trees would be planted along the site's southern boundary with Burning Tree Golf Club
 to help buffer noise from the mining operations. Native species of deciduous and coniferous
 trees would be used to ensure that they would root and prosper.

<u>Dust Control</u>: The newly dredged sand would be moist and have a relatively high water content which would make it less susceptible to wind erosion. If stockpiled sand is left in place over long periods and dries-out, the site would have a water truck which would be used to spray water onto stockpiles of sand, soil or aggregate to control windblown dust generation. The sprayed water would react with the surface material to form a protective crust on the surface and make it resistant to wind erosion.

Erosion Control and Good Housekeeping Practices: Dry methods of cleaning equipment would be utilized to prevent waste and sediment from being "tracked out" onto the streets. This would include large-aggregate lined construction entrance driveways which act to shake and knock soil and mud off of vehicles. In addition, vehicles/equipment would be washed periodically off-site to remove any of these materials from the vehicles/equipment. Silt fence would be utilized around temporary topsoil stockpiles to stabilize the ground and prevent sediment from the material from being washed back into the dredging pond. Areas disturbed by construction activity shall be stabilized with mulch or equivalent stabilization measures within 14 days after soil disturbing activities have ceased and will not resume for more than 14 days. This included the topsoil stockpile area and any project areas that are being seeded. Disturbed ground not designated to become part of the permanent lake formed from the dredging pond upon completion of the mining operations would be planted with grass and native vegetation. Inspections of the containment berms and erosion control features including the silt fencing and large-aggregate lined construction entrance driveways, shall be performed at least once every 14 days and also after each ½" or greater rainfall event.

Sediment Basin: The proposed dredging ponds would also serve as a large sediment basins for storing runoff from the surrounding fields. The southern dredging pond south of Lenape Road would be used for the Phase 1 thru Phase 5 mining stages, and at full excavation would have a surface area of approximately 114 acres and a storage depth of approximately 50 ft. The northern dredging pond north of Lenape Road would be used for the Phase 6 mining stage, and at full excavation would have a surface area of approximately 38 acres and a storage depth of approximately 50 ft. The existing grid-

roads running along the section, and quarter-section lines are raised relative to the agricultural fields and act as berms to contain runoff and preventing it from crossing over onto the neighboring fields. The existing under-bedding is also an alluvial overbank area, which allows for the ready absorption of stormwater runoff into the underlying groundwater table and on to the Kansas River under-bed.

Kaw Valley Sand & Gravel
Lenape Sand Quarry
166th & Lenape Road
Southern Leavenworth County, Kansas
CFS Project No. 18-5201

Plant Operations Memorandum

June 28, 2019

Prepared for:

Kaw Valley Companies, Inc. Attn: Dan Hays, General Manager – Sand Division 5600 Kansas Avenue Kansas City, Kansas 66106

(913) 281-9950

Prepared by: Cook, Flatt & Strobel Engineers P.A. 1421 E 104th Street, Suite 100 Kansas City, Missouri 64131 (816) 333-4477



Introduction

This Plant Operations Memorandum covers the site characteristics, plant operations, production characteristics, special considerations, environmental and aesthetic concerns, and post-operation reclamation, to provide a comprehensive of the proposed sand quarry. Kaw Valley Sand & Gravel proposes to operate a sand mining operation at 166th & Lenape Road in rural southern Leavenworth County, Kansas. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits. Once the sand has been excavated, it would be stockpiled on the site to await transport to Kaw Valley's Edwardsville processing site at 9501 Woodend Road. Other companies could also send trucks to the quarry to load sand and send it to construction sites or concrete mixing plants. The majority of the sand quarried from the facility by Kaw Valley would be loaded onto their own trucks and hauled to the Edwardsville processing site for drying and shipping to customers.



Lenape Sand Quarry Location Map 166th & Lenape Road, Southern Leavenworth County, Kansas

Site Characteristics

<u>Site Location:</u> The proposed Lenape Sand Quarry would be located at the northeast and southeast corners of 166th Street and Lenape Road in southern Leavenworth County, Kansas. The site contains approximately 220 acres, and would be located in the SW quarter and in portions of the NE quarter and in portions of the NW quarter of Section 22, Township 12 South, Range 22 East.

<u>Land Uses and Zoning</u>: According to the Leavenworth Planning & Zoning Commission, the proposed site's current zoning classification is I-3, Heavy Industrial. The proposed land use for the project would be exclusively for sand surface mining operations.

FEMA Flood Zone Classification: FEMA FIRM Flood Map 20103C0425G, Panel 425 of 425, Dated July 16, 2015, shows the proposed Lenape Sand Quarry site as covered by the floodplain within Special Flood Hazard Area Zone AE. The FEMA map indicates that the 1% (100-year) annual chance flood would reach elevations from approximately 790.5 to 791.0 ft across the site. The existing ground surface ranges from approximately 779 to 783 ft.

<u>Vehicular Access:</u> Vehicular access to and from the site would be from the intersection of 166th Street and Lenape Road. Kaw Valley plans to extract sand at the proposed Lenape Site and transport it back to their Edwardsville Processing Plant. The quarry truck route from the proposed Lenape Site would extend from the 166th & Lenape Road intersection, then north on 166th to Golden Road, then west to 189th Street, then north to K-32 Highway, then east to 98th Street, then south to Woodend Road, then east to the entrance to Kaw Valley's Edwardsville Processing Plant. Kaw Valley's drivers and any outside trucks authorized to load sand from the proposed Lenape Site would be directed to the 166th Street – Golden Road - 189th Street – K-32 Highway quarry truck route.

Utilities

<u>Electrical Service</u>: Electrical service would be provided by Westar Energy. There are existing overhead power lines along the eastern side of 166th Street and the northern side of Lenape Road. Westar Energy has been contacted, and they have replied that they would be able to serve the site. Coordination on power supply requirements for the site will be worked-out. Kaw Valley plans to use all electrical power for the dredge line, industrial aggregate washer and the separator/consolidator, as opposed to units requiring diesel fuel. Electrical units would operate with much less noise and maintenance, would not need to be constantly supplied with gasoline or diesel fuel, and would not have the environmental spill containment requirements of their petroleum powered counter-parts.

<u>Water:</u> There are no water mains carrying potable water in the vicinity. The City of De Soto has water wells along Lenape Road on the western side of 166th Street that they use to process potable drinking water. The neighboring Burning Tree Golf Club uses well water for their restrooms and sprinkler systems, and stocks bottled water for drinking.

<u>Water Wells for Public Water Supply:</u> There is an existing water well directly across from the proposed Lenape Sand Quarry site on the western side of 166th Street. KDHE was contacted about the status and usage of the existing well SAAP-12, and they replied back that the well was listed as abandoned in the SDWIS inventory. Well SAAP-12 was originally built and operated by the Sunflower Ammunition Plant, which closed in 1982. The City of De Soto is currently using several of the Sunflower Ammunition Plant's wells for water supply intake, which is pumped to the City's drinking water processing plant on the southern side of the Kansas River. The next closest water supply well from the proposed quarry site is approximately a quarter mile west of 166th Street.

<u>Sanitary Sewage:</u> There are no sanitary sewers present on the site. Restroom facilities for the laboratory would be accommodated with 'Port-a-Potty" stations, or a septic tank and leach field.

Natural Gas: The site would not use natural gas.

Propane Gas: The laboratory building may have propane tanks for heaters and laboratory ovens.

<u>Telecommunications</u>: Telephone and communications would be from wireless providers.

<u>Waste Hauling and Disposal Services:</u> Kaw Valley would make arrangements for trash hauling, or handle waste collection services in-house.

Plant Operations

<u>Hours of Operation:</u> 6:30 am to 6:30 pm, Monday thru Friday. Truck traffic in and out of the site would be restricted between 7:00am and 3:00pm on regular weekdays.

Number of Employees: 3 Equipment Operators, 1 Part-Time Manager. Truck Drivers as needed.

Employee Tasks: Sand mining employee tasks would include the following:

- Dredge Line Operator: Operate the dredge line to vacuum sand from the excavation pits.
- Scale Clerk: Measure and record loaded truck weights, oversee operation of the industrial aggregate washer and the separator/consolidator.
- Loader Operator: Operate the wheeled-loader to load trucks with the stockpiled sand material.

<u>Management:</u> The site manager would be responsible for testing and quality control monitoring of materials in the on-site materials laboratory, overseeing and monitoring daily operations, scheduling truck deliveries, tracking maintenance requirements for the site equipment, and ordering supplies for the materials laboratory and employees facilities. The site manager would also be responsible for monitoring safety and environmental requirements from OSHA and the project's Stormwater Pollution Prevention Plan (SWPPP).

<u>Employee Safety:</u> Work at the site would comply with OSHA workplace requirements. Employees would undergo safety training. Emergency medical treatment would be provided from the City of De Soto or from Leavenworth County facilities. Police and law enforcement from the Leavenworth County Sheriff's Department and the De Soto Police Department.

Production Characteristics

<u>Typical Daily Operations:</u> Work would commence at 6:30 am and end at 6:30 pm on regular weekdays. The following outline shows the different tasks that would be performed as part of the plant's daily routine:

- 1. The high-capacity water pump would flood the dredging pool and the dredge line would begin vacuuming material into a slurry pipeline that would feed into the industrial aggregate washer.
- 2. The industrial aggregate washer would separate and remove the sediments from the sand material. The sand would be pumped through a second slurry pipeline to the separator/consolidator.
- 3. The separator/consolidator would grade the sand into coarse and fine materials. Two rotating conveyor belts would radiate out from the separator/consolidator and deposit the graded sand onto two half-donut shaped stockpiles. Surplus sand may also be stockpiled near the main entrance at 166th & Lenape Road.
- 4. A loader would scoop sand material and load it into trucks for weighing and transport to Kaw Valley's Edwardsville processing plant.

The high-capacity water pump would be key to the plants operation. The pump would draw groundwater to flood the dredging pool and allow the dredge vacuum to suck the raw sand material into a slurry pipeline to feed into the industrial aggregate washer and on to the separator/consolidator. As sand mining proceeds over time, the dredging pool would expand and shift location over the 220 acre site. Sediment removed from the raw sand material would be replaced over exhausted areas of the site as part of the reclamation efforts.

The site's high-capacity water pump would provide well water for the industrial aggregate washer to remove the silt and sediment from the material, then the cleaned sand and aggregate would be pumped through a short pipeline to the separator/consolidator. There the material would be graded into coarse and fine sand and deposited into separate stockpiles. Transport trucks would begin arriving to be loaded with sand or aggregate to take to Kaw Valley's Edwardsville processing plant, or to other aggregate/concrete companies locations. A site manager would oversee daily production, test aggregate materials in the on-site laboratory, monitor the truck weight scales to keep loads at legal limits, track and schedule regular maintenance for the equipment, trouble-shoot problems, and be responsible for safety and environmental requirements from OSHA and the project's Stormwater Pollution Prevention Plan (SWPPP).

<u>Mobile Construction Equipment:</u> Wheeled loaders would be the only mobile construction equipment used at the site. A 1000 to 5000 gal fuel tank would store diesel fuel on the site for the mobile equipment. The mobile equipment would be regularly maintained and serviced by Kaw Valley's servicing staff.

Stationary Processing Equipment: The stationary equipment that would be used on the site would include a high-capacity water pump, an industrial aggregate washer, a separator/consolidator, and rotating conveyor belts to deposit processed sand and aggregate onto stockpiles. The site would also have a truck weighing scale for checking load weights before driving out onto the public roads. The high-capacity pump would draw groundwater from a well-pipe and then pump the water into a storage tank, where it would be fed into the industrial aggregate washer for washing and separating the sand and aggregates from silty material. The separator/consolidated would separate the finer sand material from the larger diameter aggregates and then feed the sorted materials onto a rotating conveyor belt where the material would be deposited into the two 'half-donut' shaped stockpiles.

<u>Production and Processing Rates:</u> At full-production capacity, the site would generate approximately 2000 tons of sand each day. The sand deposits on the site have an estimated sub-surface depth of 50 ft and could potentially yield as much as 8.3 million tons of sand.

Stockpiling Sand and Aggregate: Along with the two 'half-donut' shaped stockpiles centered around the separator/consolidator, the plant may also stockpile some additional material in nearby areas during periods of peak demand. The auxiliary stockpiles would be located close to Lenape Road to facilitate loading into the transport trucks for shipping back to the company's Edwardsville processing plant.

Special Considerations

<u>Flooding:</u> The USGS River Gauging Station 06892350 for the Kansas River at De Soto, Kansas, is located at the southeastern end of the 166th Street Bridge. The USGS posts the recorded real-time results of river gauge readings on their website. The total drainage area of the Kansas River at the gauge is approximately 59,756 square miles. The gauge datum is listed as 753.87 feet above NGVD29 (the NGVD29 datum is approximately 3 to 4 inches lower than the NAVD88 datum for the Kansas City region).

The highest river elevation recorded at the De Soto Gauging Station was 781.32' in October of 1973 (the gauge was not in service during the 1951 flood). The second highest was 780.69 in July of 1993. The De Soto Gauging Station has been recording data regularly since 1975 (also included the historic 1973 flood data), and the lowest "high water elevation" recorded over that time was 762.82' in April of 1988, which was a historic drought year for the Kansas City area (that was the same year that the Arabia Steamboat was excavated from the overbank area of the Missouri River). The Kansas River's average annual high water elevation was approximately 771.81'. The Lenape Sand Quarry site has existing ground surface elevations ranging from 782 to 786 feet.

The FEMA FIRM Flood Map of the area (Map Number 20103C0425G, Panel 425 of 425, Dated July 16, 2015), shows the 100-year flood elevation at approximately 791 feet along the western side of the 166th Street Bridge. The FEMA map also shows the proposed Lenape Sand Quarry site as covered by Special Flood Hazard Area Zone AE, where base flood elevations have been determined.

River flooding usually rises gradually (as compared to flash flooding), and high levels tend to be well documented in the newspaper and local news channels. When FEMA and the USGS issue predictions of an ensuing river flood, Kaw Valley would take action to move fuel and mobile equipment off of the site to minimize potential damage and hazardous material spills.

Storms: Rains would have a negative impact on production by creating muddy roads and fields. To address of the rainfall, the service roads inside the site would be well covered and maintained with aggregate surfacing, as Kaw Valley has an ample supply of gravel. Erosion control would be very important on the site. The construction entrances would have gravel landing pads to help remove mud and debris from vehicles and prevent it from being tracked onto the public streets. The open dredging pond would also serve as a sedimentation basin to prevent dirt from washing off of the site. Since the site is located in the alluvial overbank areas of the Kansas River, the existing ground is flat and sediment washed out by rainfall would travel very slowly and not very far from its point of origin.

<u>Vandalism</u>: There's always a possibility of equipment being vandalized on a deserted job site. Since the primary product from the quarry would be sand, there is little hazardous damage spilled or stolen sand could do to the streets or environment. The real problems would be in damaged construction equipment or vandalism of the materials laboratory. Keys for starting heavy construction equipment would be kept in a safe and secure location so that vandals couldn't take a loader for a 'joy ride'. If vandalism or vagrancy problems become prevalent, Kaw Valley would make arrangements with the Leavenworth County Sheriff's Department or hire a security firm to keep watch over the site afterhours.

<u>Plant Expansion:</u> There is a possibility that Kaw Valley could expand the sand quarry site by acquiring additional land to the east of the proposed project. Being in the floodplain, the land is unsuitable for building and would be best used for either farming or sand quarrying. The site expansion would depend upon several factors including productivity and demand for sand materials, real estate prices, and environmental concerns.

Environmental & Aesthetic Concerns

<u>Dust Control</u>: The newly dredged sand would be moist and have a relatively high water content which would make it less susceptible to wind erosion. If stockpiled sand is left in place over long periods and dries-out, the site would have a water truck which would be used to spray water onto stockpiles of sand, soil or aggregate to control windblown dust generation. The sprayed water would

react with the surface material to form a protective crust on the surface and make it resistant to wind erosion.

<u>Erosion Control and Good Housekeeping practices:</u> Dry methods of cleaning equipment would be utilized to prevent waste and sediment from being "tracked out" onto the streets. This would include large-aggregate lined construction entrance driveways which act to shake and knock soil and mud off of vehicles. In addition, vehicles/equipment would be washed periodically off-site to remove any of these materials from the vehicles/equipment.

Noise Control: Sound volume levels were measured at Kaw Valley's Morse Plant located at 2400 S 78th Street in Kansas City, Kansas, where a diesel powered loader was actively loading semi trailers. Sound volume measurements were also taken at Holiday Sand & Gravel's sand dredging site at 43rd & Frisbee Road in Shawnee, Kansas, where electric dredges were in use on the Kansas River and also in the site's off-river dredging pond. Sound measurements were also taken at the electric pump / washer / and separator conveyor belt. Sound levels were measured using calibrated decibel meters along with sound meter apps available on smart phones.

An analysis of potential noise generated by the mobile equipment and the stationary processing machinery on the proposed Lenape Sand Quarry was made to estimate the potential noise levels on the Burning Tree Golf Course and the residential homes along Golden Road to the north of the site. Under the Phase 1 operations at the initial start-up of the Lenape Site, the approximate noise level at the southern border with the Burning Tree Golf Course was calculated at 33.5 dBA. Under the Phase 2 operations with the electric dredging barge operating at its closest point to the Burning Tree Golf Course, the approximate noise level at the southern border was calculated at 51.6 dBA. Under the Phase 6 operations with the electric dredging barge operating on the north side of Lenape Road, the plant's noise projected north onto the houses along north side of Golden Road was calculated to be approximately 35.3 dBA.

To help mitigate noise from the site, the following measures would be taken in the planning and operation of the site:

- The stationary processing equipment would be installed near the southeastern corner of 166th
 & Lenape approximately 2300 ft north of the golf course.
- Kaw Valley plans to use electrical power for the dredge line, industrial aggregate washer and the separator/consolidator, as opposed to units requiring diesel fuel. Electrical units would operate with much less noise and maintenance, would not need to be constantly supplied with gasoline or diesel fuel, and would not have the environmental spill containment requirements of their petroleum powered counter-parts.
- All production area processing equipment would be turned off when not in use.
- Processing equipment would be kept well-maintained with regular lubrication to keep the workings as quiet as possible.
- Work activity could be scheduled to build-up a stockpile of surplus of material late in the afternoon so that processing equipment can be left off during the early morning hours.
- A line of trees would be planted along the site's southern boundary with Burning Tree Golf
 Club to help buffer noise from the mining operations. Native species of deciduous and
 coniferous trees would be used to ensure that they would root and prosper.

<u>Mosquito Control</u>: The open dredging pool would be graded to be contiguous to avoid formation of small puddles and water pockets. The regular dredging operations would create wave action to stir the water, naturally inhibiting mosquitoes from laying eggs. Should mosquitoes become a problem, Kaw Valley would spray vegetable-based oils over water surfaces to prevent mosquito breeding.

Post-Operations Reclamation

Formation of a Lake from the Accumulated Excavation: Since the ground elevation of the site ranges from 782' to 786', and the average yearly high-water elevation in the Kansas River was approximately 771.81', the water table elevation below the ground surface would only be approximately 10 to 14 ft. Kaw Valley estimates that sand deposits extended down 50' from the surface to elevations ranging from 732' to 736'. Over time, the mining operations would create a sizable lake with the continued dredging and excavation of the site. Sediment removed from the raw sand would be returned to the ground, but would make up only a small portion of the volume of material excavated from the ground. Since the site would be located over an alluvial overbank area, water would readily percolate into the ground, until meeting the shallow water table. The water surface elevation would be subject to the fluctuating depth of the Kansas River, and the lake depths would vary significantly over the course of a year.

Environmental Permits

Report would provide a complete inventory of existing wetlands areas on the site. Kaw Valley would obtain such permits as may be required by the Army Corps of Engineers for grading activities covered by Section 402 (Wetlands) and Section 404 (Waters of the United States) of the Clean Water Act. Kaw Valley would submit copies of any such applications and permits to Leavenworth County, Kansas. As part of the Corps of Engineers 404 permit for the project, wetlands mitigation credits may need to be obtained or wetland areas would need to be preserved, or re-established as operation of the site goes forward.

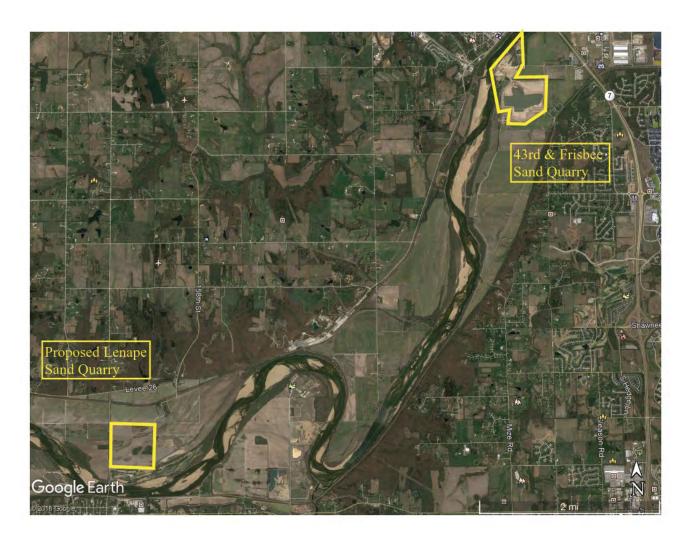
Kaw Valley would obtain all permits required by the State of Kansas for Dredging and Pit Mining Operations. Copies of the permits shall be provided to Leavenworth County, Kansas.

Kaw Valley would be responsible for complying with the conditions stipulated by the Kansas Division of Water Resources in the Term Permit to Appropriate Surface Water for Beneficial Use.

Kaw Valley would be responsible to comply with the conditions stipulated by the Kansas Department of Health and Environment in the Environmental Protection Agency National Pollutant Discharge Elimination System Permit (NPDES Construction Activity Form 1) which would need to be approved for the project.

Example Sand Quarry Site at 43rd & Frisbee Road in Shawnee, Kansas

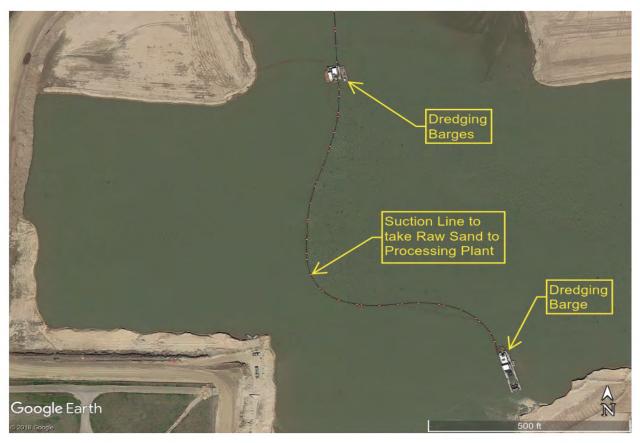
43rd & Frisbee Road Sand Quarry: An open-pit off-river sand quarry site was opened in 2009 in northwest Shawnee by 43rd Street & Frisbee Road by Holiday Sand & Gravel. The proposed Lenape Sand Quarry would be near-identical in operations to this site. The 43rd & Frisbee site includes a large dredging pond, a consolidator/separator processing plant and a truck scale. The plant has been in operation for nine years and is located approximately seven miles from the proposed Lenape site. The attached aerial images taken from Google-Earth shows the dredging pond, the processing plant, the truck scales, and the regional location of the 43rd & Frisbee site relative to the proposed Lenape site.



Regional Map Showing the Proposed Lenape Sand Quarry at 166th & Lenape Road and the Existing 43rd & Frisbee Road Sand Quarry



43rd & Frisbee Road Sand Quarry



43rd & Frisbee Dredging Pone with Dredge Barges and Suction Line to Vacuum Raw Sand and Transport to Processing Plant



43rd & Frisbee Sand Quarry Processing Plant with Consolidator/Separator, Conveyor Belts and Stockpiles



43rd & Frisbee Sand Quarry Entrance, Truck Scale and Maintenance Building

Kaw Valley Sand & Gravel Lenape Sand Quarry 166th & Lenape Road Southern Leavenworth County, Kansas CFS Project No. 18-5201

Plant Noise Level Study

June 25, 2019

Prepared for:

Kaw Valley Companies, Inc. Attn: Dan Hays, General Manager – Sand Division 5600 Kansas Avenue Kansas City, Kansas 66106 (913) 281-9950

Prepared by: Cook, Flatt & Strobel Engineers P.A. 1421 E 104th Street, Suite 100 Kansas City, Missouri 64131 (816) 333-4477



Introduction

This Noise Study for the proposed Lenape Sand Quarry at 166th & Lenape Road in rural southern Leavenworth County, Kansas, was prepared by CFS Engineers to evaluate the potential noise levels that would be generated from the mobile equipment and the stationary operating machinery that would be used to operate the site. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits.



Lenape Sand Quarry Location Map166th & Lenape Road, Southern Leavenworth County, Kansas

Site Characteristics

<u>Site Location:</u> The proposed Lenape Sand Quarry would be located at the northeast and southeast corners of 166th Street and Lenape Road in southern Leavenworth County, Kansas. The site contains approximately 220 acres, and would be located in the SW quarter and in portions of the NE quarter and in portions of the NW quarter of Section 22, Township 12 South, Range 22 East.

The site is relatively flat and is located on the alluvial overbank area approximately a quarter mile north of the Kansas River. The site has been used for agricultural purposes. Except for a farm shed located near the northeast corner of the site, there are no buildings or structures.

<u>FEMA Flood Zone Classification:</u> FEMA FIRM Flood Map 20103C0425G, Panel 425 of 425, Dated July 16, 2015, shows the proposed Lenape Sand Quarry site as covered by the floodplain within Special Flood Hazard Area Zone AE. The FEMA map indicates that the 1% (100-year) annual chance flood would reach elevations from approximately 790.5 to 791.0 ft across the site. The existing ground surface ranges from approximately 779 to 783 ft.

<u>Neighboring Developments:</u> The site would be located on the northern side of the existing Burning Tree Golf Club. There is an existing farm house on the eastern side of the site, and some other farm houses further to the northeast off of Amnesty and De Soto Road. There are also some single-family houses along the north side of Golden Road.

Plant Operations

<u>Hours of Operation:</u> 6:30 am to 6:30 pm, Monday thru Friday. Dredging work would be done throughout the day. Truck loading and hauling would be limited to between 7:00 am and 3:00 pm.

Number of Employees: 3 equipment operators plus additional truck drivers as needed.

Employee Tasks: Sand mining employee tasks would include the following:

- Dredge Line Operator: Operate the dredge line to vacuum sand from the excavation pits.
- Scale Clerk: Measure and record loaded truck weights, oversee operation of the industrial aggregate washer and the separator/consolidator.
- Loader Operator: Operate the wheeled-loader to load trucks with the stockpiled sand material.

Production Characteristics

<u>Typical Daily Operations:</u> Work would commence at 6:30 am and end at 6:30 pm on regular weekdays. The following outline shows the different tasks that would be performed as part of the plant's daily routine:

- 1. The high-capacity water pump would flood the dredging pool and the dredge line would begin vacuuming material into a slurry pipeline that would feed into the industrial aggregate washer.
- 2. The industrial aggregate washer would separate and remove the sediments from the sand material. The sand would be pumped through a second slurry pipeline to the separator/consolidator.
- 3. The separator/consolidator would grade the sand into coarse and fine materials. Two rotating conveyor belts would radiate out from the separator/consolidator and deposit the graded sand onto two half-donut shaped stockpiles. Surplus sand may also be stockpiled near the main entrance at 166th & Lenape Road.
- 4. A loader would scoop sand material and load it into trucks for weighing and transport to Kaw Valley's Edwardsville processing plant.

Mobile Construction Equipment: A wheeled loaders would be the only mobile construction equipment that would always be active at the site. There would also be eighteen-wheel semi trucks with 20 to 25-ton capacity trailers for hauling sand. A 1000 to 5000 gal fuel tank would store diesel fuel on the site for the mobile equipment. The mobile equipment would be regularly maintained and serviced by Kaw Valley's mechanics.

Stationary Processing Equipment: The stationary equipment that would be used on the site would include a high-capacity water well pump, an industrial aggregate washer, a separator/consolidator, and rotating conveyor belts to deposit processed sand and aggregate onto stockpiles. The site would also have a truck weighing scale for checking load weights before driving out onto the public roads. The high-capacity pump would draw groundwater from a well-pipe and then pump the water into a storage tank, where it would be fed into the industrial aggregate washer for washing and separating the sand and aggregates from silty material. The separator/consolidated would separate the finer sand material from the larger diameter aggregates and then feed the sorted materials onto a rotating conveyor belt where the material would be deposited into the two 'half-donut' shaped stockpiles.

Noise Generation

Noise Control: Sound volume levels were measured at Kaw Valley's Morse Plant located at 2400 S 78th Street in Kansas City, Kansas, where a diesel powered loader was actively loading semi trailers. Sound volume measurements were also taken at Holiday Sand & Gravel's sand dredging site at 43rd & Frisbee Road in Shawnee, Kansas, where electric dredges were in use on the Kansas River and also in the site's off-river dredging pond. Sound measurements were also taken at the electric pump / washer / and separator conveyor belt. Sound levels were measured using calibrated decibel meters along with sound meter apps available on smart phones. A summary of the measured noise levels for the stationary and mobile equipment used for sand quarrying processes were as follows:

Field Measurements of Sound Sources at Morse and 43rd & Frisbee Sand Quarries

Sound Source	Decibel Reading	Reading Distance
Electric Dredging Barge	62 dBA	50 ft +/- from banks of Kansas River
Front-End Wheeled Loader	80 dBA	50 ft +/- away
Semi Truck & Trailer	72 dBA	30 ft +/- away
Washer/Pump/Conveyor	72 dBA	25 ft +/- away

All of the equipment that noise level readings were taken had been in active use for five to ten years at either the Morse or 43rd & Frisbee sites.

An analysis of potential noise generated by the mobile equipment and the stationary processing machinery on the proposed Lenape Sand Quarry was made to estimate the potential noise levels on the Burning Tree Golf Course and the residential homes along Golden Road to the north of the site. For a conservative approximation of the area, the terrain was assumed to be level with no barriers or reductions for noise dampening from trees or berms.

The noise generation from the production area of the quarry site where the washer/pump/conveyor would wash and sort the sand and the diesel loader would scoop the sand to load into two waiting semi trucks was calculated to have a total consolidated noise level of 81.7 dBA at a 50 ft distance. The quarrying operations would be divided into six phased areas. Phase 1 would be the start-up area immediately south of the production area where the initial excavation work to form the dredging

pond would begin. Phases 2 thru 5 would extend south to the border with the Burning Tree Golf Course, and Phase 6 would be the portion of the site on the north side of Lenape Road.

Under the Phase 1 work, the electric dredging barge would be in operation an average distance of 700 ft from the production area of the site. Consolidating the electric dredging barge with the production area's noise generation at a point 700 ft south from the center of the production area yielded a composite noise level of approximately 63.7 dBA. Projecting the composite noise approximately 1620 ft further to the south to the property line with Burning Tree Golf Course, yielded an estimated noise level of 33.5 dBA.



Noise Level Map of the Proposed Lenape Sand Quarry and the neighboring Burning Tree Golf Course and Residential Houses to the North of Golden Road. Phase-1 Operation Area at Start-Up of Operations (Maximum noise output to the Golf Course Estimated at 33.5 dBA)

Under the Phase 2 work, the composite distances for the production area and the electric dredging barge would be at their closest distance to the south property line with Burning Tree Golf Course, and the noise generated by the quarry would be the highest. It was also assumed that a secondary electric booster barge would need to be used to supplement the pumping pressure at the mid point of the slurry pipeline connecting the electric dredging barge with the production area. The electric booster barge would be moored approximately 1000 ft south of the production area and the electric dredging barge would be approximately 2100 ft south of the production area. Consolidating the noise from the production area with the electric booster pump, and then further consolidating the noise to the electric dredging barge indicated that the maximum noise level at the property line with the golf course would be approximately 51.6 dBA.



Noise Level Map of the Proposed Lenape Sand Quarry and the neighboring Burning Tree Golf Course and Residential Houses to the North of Golden Road. Phase-2 Operation Area (Maximum noise output to the Golf Course Estimated at 51.6 dBA)

Under the Phase 6 work with the dredging pond placed north of Lenape Road, the quarrying operations would produce the highest noise levels towards the existing residences along Golden Road to the north of the site. With the electric dredging barge located approximately 1000 ft north of the production area, the consolidated noise level at the northern edge of the Phase 6 dredging pond would be approximately 62.9 dBA. Projecting the sound an additional 1200 ft north to the edge of Golden Road indicated the noise level would be reduced to approximately 35.3 dBA.



Noise Level Map of the Proposed Lenape Sand Quarry and the neighboring Burning Tree Golf Course and Residential Houses to the North of Golden Road. Phase-6 Operation Area (Maximum noise output to the Houses North of Golden Road Estimated at 35.3 dBA)

Noise Control Levels

The allowable noise levels at neighboring property boundaries typically required by cities and counties in the Kansas City metropolitan area are listed below:

- 45 dBA, Residential Zone Night
- 55 dBA, Residential Zone Daytime
- 55 dBA, Residential / Commercial Zone Night
- 60 dBA, Residential / Commercial Zone Daytime
- 60 dBA, Industrial Zone (Isolated) Night
- 65 dBA, Industrial Zone (Isolated) Daytime
- 70 dBA, Industrial Zone (Bordering Other Industrial Areas)

Comparative Noise Levels

Some typical noise levels from places and events are listed below to compare against the allowable noise levels mentioned above:

- 0 dBA, Threshold of Hearing for Human Ear
- 20 dBA, Very Quiet Room
- 40 dBA, Library
- 60 dBA, Normal Conversation Level
- 80 dBA, Loud Traffic or Industrial Operations
- 100 dBA, Very Loud Power Saw
- 120 dBA, Immediate Damage Potential for Human Ear
- 140 dBA, Threshold of Pain for Humans
- 142.2 dBA, Record Crowd Noise at Chiefs Football Stadium

Noise Mitigation Measures

To help mitigate noise from the site, the following measures would be taken in the planning and operation of the site:

- The stationary processing equipment would be installed near the southeastern corner of 166th
 & Lenape approximately 2300 ft north of the golf course.
- Kaw Valley plans to use electrical power for the dredge line, industrial aggregate washer and the separator/consolidator, as opposed to units requiring diesel fuel. Electrical units would operate with much less noise and maintenance, would not need to be constantly supplied with gasoline or diesel fuel, and would not have the environmental spill containment requirements of their petroleum powered counter-parts.
- All production area processing equipment would be turned off when not in use.
- Processing equipment would be kept well-maintained with regular lubrication to keep the workings as quiet as possible.
- Work activity could be scheduled to build-up a stockpile of surplus of material late in the afternoon so that processing equipment can be left off during the early morning hours.
- A line of trees would be planted along the site's southern boundary with Burning Tree Golf
 Club to help buffer noise from the mining operations. Native species of deciduous and
 coniferous trees would be used to ensure that they would root and prosper.

Conclusions and Recommendations

The use of electrical powered production equipment would be of great benefit for suppressing noise generation from the proposed Lenape Sand Quarry. The noise generation from an electric powered dredging barges was measured in the field at Holiday Sand & Gravel's production plant at 43rd & Frisbee Road at 62 dBA, as compared to typical diesel powered barges generating 90 to 95 dBA. The electrical units also have the environmental benefit of lowering carbon emissions, operating more smoothly and with lower maintenance requirements than their diesel powered counterparts.

The large size of the proposed sand quarry and the placement of the production area along the side of Lenape Road would also help to control noise levels. The loss of intensity as sound waves travel over long distances would help mitigate the anticipated volume levels expected at the site's southern boundary with the Burning Tree Golf Course. Under the worst-case scenario when the Phase 2 excavation limits would be directly south of the production area, the anticipated sound level at the

border with the golf course would be approximately 51.6 dBA, or lower than the allowable limit for a 55 dBA residential zone during daylight hours.

For the existing residences along Golden Road to the north of the site, the worst-case scenario would be the Phase-6 excavation limits with the dredging work along the northern side of Lenape Road. The noise generation calculations indicated that the volume levels along Golden Road would reach a maximum of 35.3 dBA.

The proposed sand quarry's noise generation calculations were calculated using actual sound measurements of operating equipment used at similar dredging sites. The sound levels were estimated based on level-ground transmission without and deductions figured into the calculations for the effects of noise dampening trees and vegetation. Based on the estimated noise levels that would be generated by the plant, the worst-case noise levels projected onto the neighboring golf course to the south and the residential area to the north, the sound levels are within the noise control levels set for residential zones during daytime hours.

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Project: Lenape Sand Quarry

Project# 18-5201 Designer: TEI Date: 06/20/19

File Name: "06-20-19 Noise Calculations - Phase-1"

LENAPE SAND QUARRY - NOISE LEVEL CALCULATIONS, PHASE-1 OPERATION AREA

Individual Point-Source Noises and Total Consolidated Noise Level Generated by Proposed Quarry Site:

Production Area Noise Generation Level:

Field Measured Noise Level L-max @ 50 ft

(dBA)

Mobile Equipment

Dump Truck-1 Dump Truck-2 72 Front End Loader (Wheeled) 80

15848932 15848932 100000000

10^(L/10)

Stationary Processing Machinery

Industrial Aggregate Washer

72

L-total = 10 * log(10*(L1/10) + 10*(L2/10) + + 10*(Ln/10))

Total Consolidated Noise Level (dBA)

15848932 81.7

Estimated Noise Level from Production Area at Oredging Barge (700 ft away from Center of Production Area):

Point-Source Noise Level (L1) Point-Source Distance (r1)

81.7 50

dBA

L2 = L1 - [20 * (log(r1/r2))

Consolidated Production Area

Hearing Distance (r2) =

Electric Dredge Barge

Distance (ft) 700

Noise Level at Distance (L2)

Noise Level

58.8 dBA

Estimated Noise Level at Dredging Barge:

Noise Level

(dBA) 10^(L/10) 58.8 752790 62 1584893

Total Consolidated Noise Level (dBA)

63.7

L-total = 10 * log(10^(L1/10) + 10^(L2/10) + + 10^(Ln/10))

Estimated Noise Level at North Boundary Line of Burning Tree Golf Course:

Point-Source Noise Level (L1) Point-Source Distance (r1)

63.7 50

dBA ft

ft

L2 = L1 - [20 * (log(r1/r2))

Hearing Distance (r2) =

Distance (ft) 1620

Noise Level at Distance (L2)

Noise Level 33.5

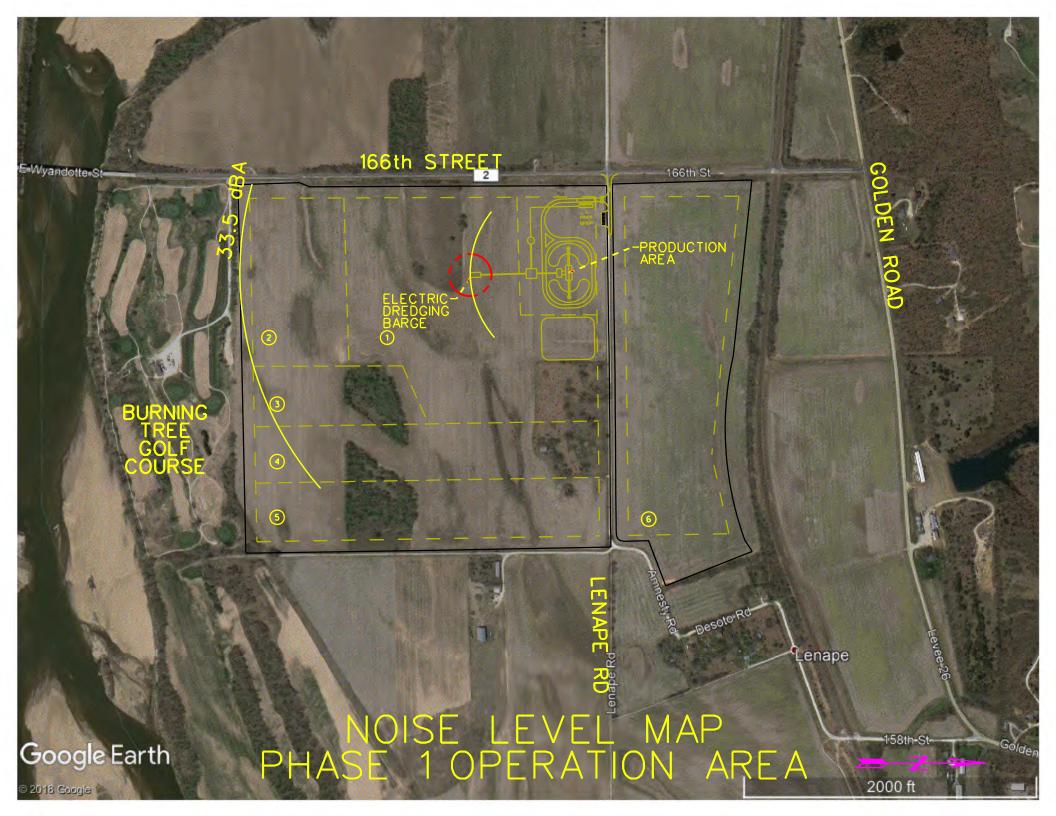
dBA

Noise Control Levels:

- 45 dBA, Residential Zone-Night
- 55 dBA, Residential Zone-Daytime
- 55 dBA, Residential / Commercial Zone-Night
- 60 dBA, Residential / Commercial Zone-Daytime
- 60 dBA, Industrial Zone (Isolated)-Night
- 65 dBA, Industrial Zone (Isolated)-Daytime
- 70 dBA, Industrial Zone (Bordering Other Industrial Areas)

Comparative Noise Levels:

- 0 dBA, Threshold of Hearing for Human Ear
- 20 dBA, Very Quiet Room 40 dBA, Quiet Room
- 60 dBA, Normal Conversation Level
- 80 dBA, Loud (Traffic or Industrial Operations)
- 100 dBA, Very Loud (Power Saw)
- 120 dBA, Immediate Damage Potential for Human Ear
- 140 dBA, Threshold of Pain for Humans
- 142.2 dBA, Record Crowd Noise at Chiefs Football Stadium



Cook, Flatt & Strobel Engineers, P.A. 1421 E 104th Street, Suite #100 Kansas City, Missouri 64131 Telephone (816) 333-4477

Project: Lenape Sand Quarry Project# 18-5201

Designer: TEI Date: 06/20/19

www.cfse.com

File Name: "06-20-19 Noise Calculations - Phase-2"

LENAPE SAND QUARRY - NOISE LEVEL CALCULATIONS, PHASE-2 OPERATION AREA

Individual Point-Source Noises and Total Consolidated Noise Level Generated by Proposed Quarry Site:

Production Area Noise Generation Level:

Field Measured Noise Level L-max @ 50 ft

(dBA)

Mobile Equipment Dump Truck-1 Dumo Truck-2

72 72 80

Stationary Processing Machinery

Industrial Aggregate Washer

Front End Loader (Wheeled)

72

15848932

104(L/10)

15848932

15848932

100000000

Total Consolidated Noise Level (dBA)

81.7

dBA

ft

ft

L-total = 10 * log(10^(L1/10) + 10^(L2/10) + + 10^(Ln/10))

Estimated Noise Level from Production Area at Booster Pump Barge (1000 ft away from Center of Production Area):

Point-Source Noise Level (L1) Point-Source Distance (r1)

81.7 50

L2 = L1 - [20 * (log(r1/r2)]

Hearing Distance (r2) =

Consolidated Production Area

Distance (ft) 1000

Noise Level at Distance (L2)

Noise Level 55.7

dBA

Estimated Noise Level at Booster Barge:

Electric Booster Barge

Noise Level

(dBA) 55.7 62

10^(L/10) 368867 1584893

Total Consolidated Noise Level (dBA)

62.9

L-total = 10 * log(10^(L1/10) + 10^(L2/10) + + 10^(Ln/10))

Estimated Noise Level from Production Area and Booster Pump Barge at Dredging Barge (2100 ft away from Center of Production Area):

ft

Point-Source Noise Level (L1) Point-Source Distance (r1)

62.9 50

L2 = L1 - [20 * (log(r1/r2)]

Hearing Distance (r2) =

Booster Plus Production

Electric Dredge Barge

Distance (ft) 1100

Noise Level at Distance (L2)

Noise Level 36.1

dBA

Estimated Noise Level at Dredging Barge:

Noise Level

(dBA) 36.1 62

10^(L/10) 4037 1584893

Total Consolidated Noise Level (dBA)

62.0

L-total = 10 * log(10^(L1/10) + 10^(L2/10) + + 10^(Ln/10))

Estimated Noise Level at North Boundary Line of Burning Tree Golf Course:

Point-Source Noise Level (L1) Point-Source Distance (r1)

62.0

dBA

ft

L2 = L1 - [20 * (log(r1/r2)]

Hearing Distance (r2) =

Distance (ft) 165

Noise Level at Distance (L2)

Noise Level

51.6 **dBA**

Noise Control Levels:

- 45 dBA. Residential Zone-Night
- dBA, Residential Zone-Daytime dBA, Residential / Commercial Zone-Night 55
- dBA, Residential / Commercial Zone-Daytime
- dBA, Industrial Zone (Isolated)-Night
- dBA, Industrial Zone (Isolated)-Daytime
- 70 dBA, Industrial Zone (Bordering Other Industrial Areas)

Comparative Noise Levels:

- 0 dBA. Threshold of Hearing for Human Ear
- 20 dBA, Very Quiet Room 40 dBA, Quiet Room
- dBA, Normal Conversation Level
- 80 dBA, Loud (Traffic or Industrial Operations)
- dBA, Very Loud (Power Saw)
- 120 dBA, Immediate Damage Potential for Human Ear 140 dBA, Threshold of Pain for Humans
- 142.2 dBA, Record Crowd Noise at Chiefs Football Stadium



Cook, Flatt & Strobel Engineers, P.A. 1421 E 104th Street, Suite #100 Kansas City, Missouri 64131 Telephone (816) 333-4477

www.cfse.com

Project: Lenape Sand Quarry

Project# 18-5201 Designer: TEI Date: 06/20/19

File Name: "06-20-19 Noise Calculations - Phase-6"

LENAPE SAND QUARRY - NOISE LEVEL CALCULATIONS, PHASE-6 OPERATION AREA

Individual Point-Source Noises and Total Consolidated Noise Level Generated by Proposed Quarry Site:

Production Area Noise Generation Level:

Field Measured Noise Level L-max @ 50 ft

(dBA) Mobile Equipment

15848932 Dump Truck-1 72 Dump Truck-2 15848932 72 Front End Loader (Wheeled) 100000000 80

Stationary Processing Machinery

Industrial Aggregate Washer 72

Total Consolidated Noise Level (dBA)

15848932 81.7

10^(L/10)

L-total = 10 * log(10*(L1/10) + 10*(L2/10) + + 10*(Ln/10))

Estimated Noise Level from Production Area at Dredging Barge (1000 ft away from Center of Production Area):

Point-Source Noise Level (L1) Point-Source Distance (r1)

Consolidated Production Area

1000

dBA

L2 = L1 - [20 * (log(r1/r2)]

Hearing Distance (r2) =

Electric Dredge Barge

Distance (ft)

Noise Level at Distance (L2)

Noise Level 55.7

dBA

dBA

Estimated Noise Level at Dredging Barge:

Noise Level

(dBA) 55.7 62

10^(1/10) 368867 1584893

Total Consolidated Noise Level (dBA)

62.9

L-total = 10 * log(10^(L1/10) + 10^(L2/10) + + 10^(Ln/10))

Estimated Noise Level for Residences along Golden Road North of Proposed Quarry Site:

Point-Source Noise Level (L1) Point-Source Distance (r1)

62.9 50

dBA ft

L2 = L1 - [20 * (log(r1/r2))

Hearing Distance (r2) =

Distance (ft) 1200

ft

Noise Level at Distance (L2)

Noise Level 35.3

Noise Control Levels:

45 dBA, Residential Zone-Night 55 dBA, Residential Zone-Daytime

dBA, Residential / Commercial Zone-Night dBA, Residential / Commercial Zone-Daytime

60 dBA, Industrial Zone (Isolated)-Night
65 dBA, Industrial Zone (Isolated)-Daytime
70 dBA, Industrial Zone (Bordering Other Industrial Areas)

Comparative Noise Levels:

0 dBA, Threshold of Hearing for Human Ear

dBA, Very Quiet Room

40 dBA, Quiet Room

60 dBA, Normal Conversation Level

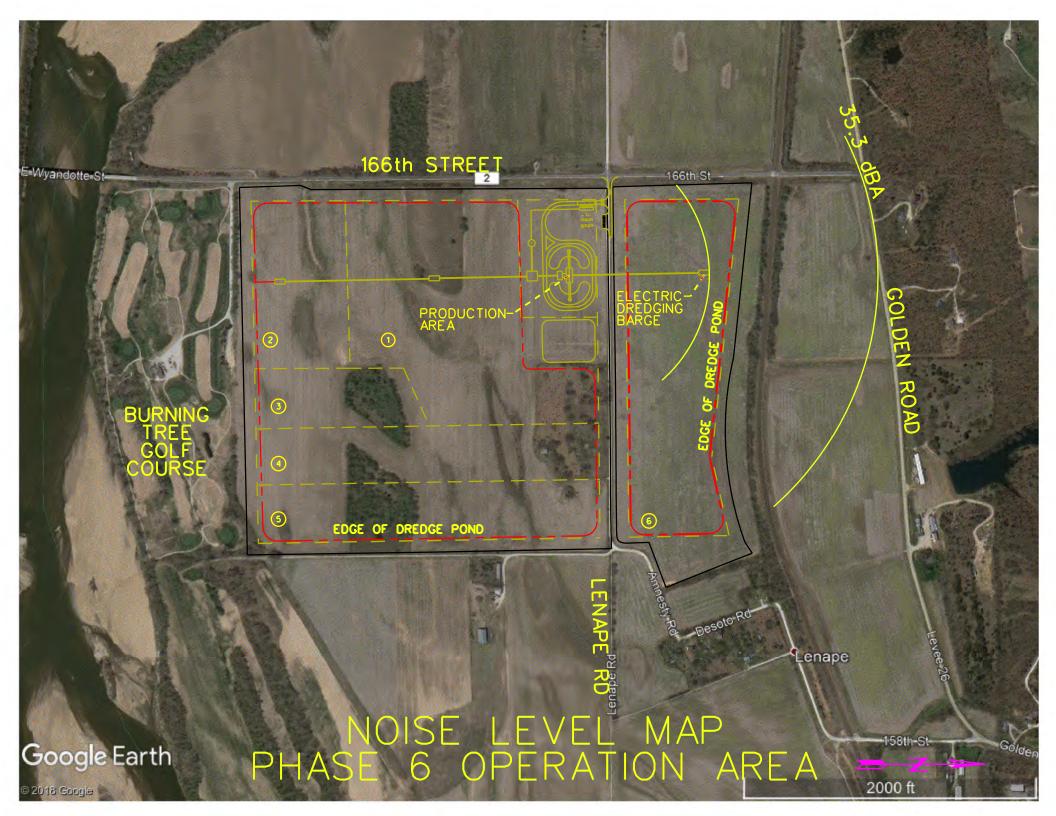
80 dBA, Loud (Traffic or Industrial Operations)

100 dBA, Very Loud (Power Saw)

120 dBA, Immediate Damage Potential for Human Ear

140 dBA, Threshold of Pain for Humans

142.2 dBA, Record Crowd Noise at Chiefs Football Stadium





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LENAPE SAND QUARRY DUST CONTROL PLAN FEBRUARY 18, 2020

Introduction:

This Dust Control Plan outlines the general practices for controlling dust generation from the proposed Lenape Sand Quarry at 166th & Lenape Road in southern Leavenworth County, Kansas. The measures are tailored toward both the physical sources of dust, as well as the handling and transportation practices used during operations. Potential dust sources include the finer fraction of dry sand, exposed earthen surfaces, and unpaved roads. Excessive amounts of dust associated with these sources could be released during the handling and transportation process if control measures are not taken. Wind action could produce potential dust sources from sand stockpiles, sorting equipment, unpaved roads, unpaved surfaces around the processing plant, accumulated soil on paved surfaces, and sand materials being transported from the site in trucks.

General Dust Control Methods:

The site would be operated to limit fugitive dust to help prevent adverse impact to the surrounding area. A number of measures would be taken to control fugitive particulate emissions and minimize potential dust sources. During the dredging process, sand would be extracted from the wet quarry pond and pumped to a washer and consolidator to sort fine and coarse grade materials. The sand would be heavily saturated when initially stockpiled in the production area. Kaw Valley's standard method for curing sand before transport is to allow the stockpiled material to sit for three days to allow excess moisture to leach out and drain into the underlying ground. After three days, the sand would be ready for loading into the transport trucks for shipment to the Edwardsville Processing Plant. This three day method helps the company to reduce the ambient water weight hauled with each payload of sand shipped out of the site while keeping the sand reasonably moist for internal adherence and resistance to generating wind-borne dust.

The company has a number of water tank trucks that they use to spray sand stockpiles, equipment and gravel roadways during hot, dry and windy periods. Pacing sand production and spraying with water are the two primary means for controlling dust. Spraying with chemicals or oils is not allowable and the work areas and stockpiles are too large to cover with blankets or tarpaulins. Soil stockpiles would use vegetation for stabilization and would be removed periodically for re-use on the site or at other locations. Sand trucks would be equipped with retractable covers to prevent dust from blowing off of payloads during dry periods. The access drive and the surface areas of the batch plant and employee parking will be graveled and would be watered as needed to control fugitive dust.

Paced Production and Limited Stockpile Footprints:

To minimize exposure to wind and atmospheric conditions, production would be paced against demand to minimize the footprint of stockpiled material that could be a potential dust source. During times when seasonal demand for sand materials is reduced, the production pace would correspondingly be reduced. This would prevent large stockpiles of sand from sitting for extended periods and drying out to become potential dust generators. Winter months are typically the driest of the year and construction slows because of cold and inclement weather. Summer months are typically hot and dry with variable wind levels, but construction is typically at peak levels. Kaw Valley continuously monitors economic activity and short-term projections for sand demand to better strategize their production levels.



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Water Trucks:

Water trucks would be sent to the site during dry and windy periods. Water would be sprayed on graveled surfaces, paved surfaces, aggregate stockpiles and other exposed surfaces as needed to suppress fugitive dust and stabilize dirt surfaces. The water sprayed over the sand stockpile surface would form a protective crust to help make it resistant to wind erosion. Sun and wind act to accelerate evaporation and the increased potential for dust to be blown off of the site. The company pays close attention to weather forecasts to best utilize their fleet of water trucks at their plants and project sites.

Vehicle Speed Limits:

To limit fugitive dust kicked up by tires, the company requires that trucks and equipment drive on the service roads and production area at speeds under 20 miles per hour. This helps to minimize the volume of dust on the roadway that can be churned into the air by the mechanical action of turning vehicle wheels. Slower moving wheels generate smaller amounts of dust on dry gravel roads.

Pavements:

Kaw Valley would be required to pave approximately 1000 linear feet of the existing gravel-surfaced portion of 158th Street south of Golden Road and then also pave an additional 1500 linear feet of the proposed access driveway to the plant. Any dirt roads associated with the mine or any non-paved haul routes would be graveled and watered as needed to prevent the generation and blowing of fugitive dust onto neighboring property.

Housekeeping:

Production equipment would be sprayed with water periodically to limit dust build-up and keep rollers and mechanical parts working freely. Sand or soil material tracked out of the plant and onto the public streets would be cleaned or swept by the company's water and maintenance trucks. The dredging pond would be left to revert to a natural lake upon completion of quarrying activities, with the establishment of natural vegetation to cover and stabilize the disturbed ground.



Kaw Valley Sand & Gravel Lenape Sand Quarry 166th & Lenape Road Southern Leavenworth County, Kansas CFS Project No. 18-5201

Traffic Impact Study

June 22, 2020

Prepared for:

Kaw Valley Companies, Inc.

Attn: Dan Hays, General Manager – Sand Division 5600 Kansas Avenue Kansas City, Kansas 66106 (913) 281-9950

Prepared by:

Cook, Flatt & Strobel Engineers P.A. 1421 E 104th Street, Suite 100 Kansas City, Missouri 64131 (816) 333-4477



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Executive Summary

Kaw Valley Sand & Gravel proposes to operate a sand mining operation at 166th & Lenape Road in rural southern Leavenworth County, Kansas. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits. Once the sand has been excavated, it would be stockpiled on the site and transported to Kaw Valley's Edwardsville processing site at 9501 Woodend Road.



Kaw Valley's Proposed Lenape Sand Quarry
166th & Lenape Road, Southern Leavenworth County

CFS Engineers, P.A., was hired by the Kaw Valley Companies, Inc, in August of 2018 to prepare a Traffic Impact Study, a Noise Study and a Site Operations Memorandum for the proposed Lenape Sand Quarry project at 166th & Lenape Road in Southern Leavenworth County. CFS prepared an initial Traffic Impact Study in September of 2018, and then wrote three revisions in April, June and August before preparing this revised study in November of 2019

CFS and Kaw Valley first met with Leavenworth County's Planning and Public Works staff in December of 2018 where it was noted that there were limitations on the originally proposed truck route which would have used 158th Street up to the intersection with K-32. Subsequent meetings with Planning led to the revised

Lenape Sand Quarry, Traffic Impact Study, June 2020

April traffic study which utilized Golden Road to 189th Street further to the west. The revised June traffic study kept the western Golden Road to 189th Street truck route and added in the provisions requested by the County Engineer for a southbound left-turn lane and a northbound acceleration lane at the intersection of 166th & Lenape.

One week before the Planning Commission Meeting on July 10, the County changed their recommendations for the truck route to the Golden Road - 158th Street – Loring Road – Loring Drive route to the east of the site. As a further provision to the project, the County had asked that a second independent traffic engineering consultant prepare a separate traffic study for the project with concern for public safety expressed by some of the members of the Planning Commission and several private citizens who attended the July Planning Commission meeting. Wilson & Company, Inc., Engineers and Architects was selected by the County to perform a review of the proposed studies by Kaw Valley for the proposed Lenape Sand Quarry project. Wilson did prepare a report on August 16th, 2019 for reviewing the studies done in conjunction with the Lenape project, but did not prepare a separate traffic study of the project.

Leavenworth County is requiring a Special Use Permit for the site which would set the allowable hours for hauling and dredging operations. Truck traffic would be restricted to between 7am and 3pm on regular weekdays with no traffic on weekends or holidays. The site dredging operations would be limited to between 6:30am until 6:30pm Mondays thru Fridays with no work on holidays or weekends.

Kaw Valley has also received permission from the neighboring property owner to the east of the proposed site to extend an access drive to the east to turn north and connect into 158th Street just to the south of the Union Pacific railroad tracks. The proposed Quarry Truck Route would be restricted to 158th Street – Loring Road – Loring Drive – K-32 Highway - 98th Street – Woodend Road, for Kaw Valley's trucks to travel to and from the Lenape Sand Quarry site and Kaw Valley's Edwardsville Processing Plant. Safety improvements proposed for the Quarry Truck Route included lane widening improvements at the intersection of 158th & Golden Road (where the gravel section of 158th Street tees to the south of the Golden Road curve), edge of pavement widening on the southeast corner of 158th Street & Loring Road, and edge of pavement widening of the northwest corner of Loring Road and Loring Drive.

Study Scope and Development Overview

This Traffic Impact Study for the proposed Lenape Sand Quarry at 166th & Lenape Road in rural southern Leavenworth County has been prepared at the request of the Kaw Valley Companies, Inc, of Kansas City, Kansas. The 220 acre site is currently used for farming and agriculture. The site is located directly north of the Burning Tree Golf Club, and the Kansas River is less than a quarter mile to the south. The site would have three full time employees including one to run the dredging barge, one to operate the weight scales and oversee the production equipment, and one to run the diesel loader. Traffic in and out of the site would consist of the employee's regular passenger vehicles and the company dump trucks. Also included would be an occasional specialty service vehicle for maintenance and operating materials. There would also be some authorized non-company trucks transporting sand for Kaw Valley or to other companies. All company trucks and non-company trucks would be required to use the designated quarry truck route along 158th Street-Loring Road to drive between the Lenape site and K-32 Highway. Trip generation to and from the site would vary seasonally, depending on the weather and seasonal construction demand for the company's sand products.

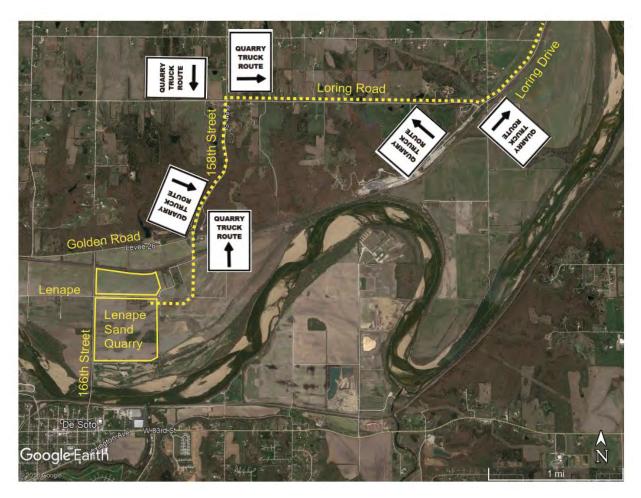


Lenape Sand Quarry Location Map

166th & Lenape Road, Southern Leavenworth County, Kansas

The general operation of the site would consist of quarrying sand, washing the material, stockpiling the sand in a designated area, and then loading sand into trucks for transport to the company's Edwardsville plant for drying in the ovens and then distribution to customers.

The Lenape Sand Quarry site would be accessed from 158th Street with a private drive that would be extended from the eastern side of the site to connect to the gravel section of 158th Street south of the Union Pacific Railroad crossing. Kaw Valley's trucks would be loaded with sand, and then proceed east along the private drive turning north to tie into 158th Street, then proceed north to Loring Road, then proceed east to Loring Drive, then proceed northeast to K-32 Highway, then proceed east to 98th Street, then proceed south to Woodend Road, then proceed east to the entrance to Kaw Valley's Edwardsville Processing Plant. The maximum volume of round trips for the trucks to and from the site would range from 8 to 10 per hour (8 to 10 driving to the plant and then 8 to 10 returning back to the Edwardsville Plant), or an estimated maximum of 64 to 80 round trips per day. Truck traffic in and out of the site would be restricted between 7:00am and 3:00pm on regular weekdays. No truck traffic would occur on weekends or holidays. The company estimates that this quarry could be in operation for twenty five years or longer depending on the demands for sand materials.



Quarry Truck Route in Leavenworth County

The existing roadways along the anticipated truck route between Kaw Valley's proposed Lenape Sand Quarry and the Edwardsville processing facility were examined for condition, classification and available traffic volume information. While K-32 Highway, 98th Street and Woodend Road in Edwardsville presently experience significant volumes of truck traffic, 158th Street and Loring Road are lower volume roads with smaller numbers of trucks. Kaw Valley's trucks traveling back and forth between the Lenape and Edwardsville sites would generate a moderate increase in truck traffic along these roadway segments. The County should use the usage fee to be paid by Kaw Valley to improve and maintain the roadway surfaces and shoulders along the proposed haul route.

Traffic signage improvements would include the installation of private "Quarry Truck Route" guidance signs at the intersections of Golden Road & 158th Street, 158th & Loring Road and Loring Road & Loring Drive, and adding a W11-10 "Truck Traffic" signs for eastbound traffic on Golden Road to the west of the intersection with 158th Street and for southbound traffic on 158th Street to the north of the intersection with Loring Road. When posting W11-10 "Truck Traffic" signs, MUTCD's guidance mentions that they should be used to alert road users in advance of locations where unexpected entries into the roadway by trucks might occur and should be used only at locations where the entering traffic would be unexpected. Given the area's agricultural and large residential lot character, it was deemed prudent to post the W11-10 Truck Traffic Signs for eastbound motorists on Golden Road in advance of the intersection of the gravel section of 158th Street where the quarry trucks would enter the regular roadway, and on southbound 158th Street in

advance of Loring Road where westbound quarry trucks would be executing left-turns to enter the regular traffic flow onto 158th Street.

The R5-2 "No Trucks" signs and the "Commercial Vehicles Excluded - Resolution No. 2009-50" along both the east and westbound lanes of Loring Road between 158th Street and the intersection with Loring Drive would also be removed. Loring Drive is currently posted at 50 mph and 158th Street is posted at 50 mph but has advisory speed plaques for 45 mph and 35 mph for the curves located south of the intersection with Loring Road. Loring Drive across the Wyandotte County Line is posted at 45 mph.

The existing 'No Trucks' and 'Commercial Vehicles Excluded' signs along the proposed haul route would need to be removed before commencing operations at the proposed quarry. Prior to removal of the signs, the segments of 158th Street and Loring Road included in the proposed quarry truck haul route would need to be updated in the County's Resolution for exclusion of commercial truck traffic.

Land Uses and Zoning

According to the Leavenworth Planning & Zoning Commission, the proposed site's current zoning classification is I-3, Heavy Industrial. The proposed land use for the project would be exclusively for sand surface mining operations.

Functional Classification of Public Streets

The functional classifications of the streets making up the truck route between the proposed Lenape Sand Quarry and Kaw Valley's Edwardsville plant were based off of KDOT's Functional Classification Road Maps of Leavenworth and Wyandotte Counties. The Average Daily Traffic volumes were counted between noon on Tuesday, September 10 until noon on Wednesday, September 11, 2019. The estimated AADT based on the 24-hour counts was 1602 vpd (including 52 trucks or 3.25% of the total) along 158th Street south of Loring Road, and 953 vpd (including 35 trucks or 3.7% of the total) along Loring Road east of 158th Street. Pictures and descriptions of the roadways along the proposed haul route between the Lenape site and the Edwardsville facility have been included below.



158th Street at Union Pacific Railroad Crossing, 800 ft. South of Golden Road

158th Street South of Golden Road: Local Road, 20 ft Total Width Gravel, AADT < 100 vpd



158th Street Looking South Towards Curve to Golden Road



158th Street South of Loring Road, Looking South

158th Street: Major Collector, Two 11 ft Lanes, 2 ft paved shoulders, Posted Speed Limit 50 mph with Advisory Speed Limits of 35 mph and 40 mph, AADT = 1602 vpd



Loring Road East of 158th Street, Looking East

Loring Road: Major Collector, Two 11 ft Lanes, 2 ft Paved Shoulders, Posted Speed Limit 50 mph, AADT = 953 vpd



Loring Drive North of Loring Road, Looking North

Loring Drive: Major Collector, Two 12 ft Lanes, 3 ft Gravel Shoulders, Posted Speed Limit 45 mph, AADT = 1304 vpd



Loring Drive South of K-32, Looking South

Loring Drive: Major Collector, Four 12 ft Lanes with Curb & Gutter, Posted Speed Limit 35 mph, AADT = 1304 vpd



K-32 & K-7 Interchange, Bonner Springs

K-32 State Highway (K-7 Interchange to Edwardsville): Minor Arterial, Four Lanes with Divided Median, 10 ft Paved Shoulders, Posted Speed Limit 45 mph, AADT = 12600 vpd



98th & K-32, Edwardsville, Kansas

98th Street: Major Collector, Two Lanes with a Center Left-Turn Lane at Intersections, AADT = 4065 vpd, Wide Gravel Shoulders



Kaw Valley's Edwardsville Processing Plant at 96th & Woodend Road

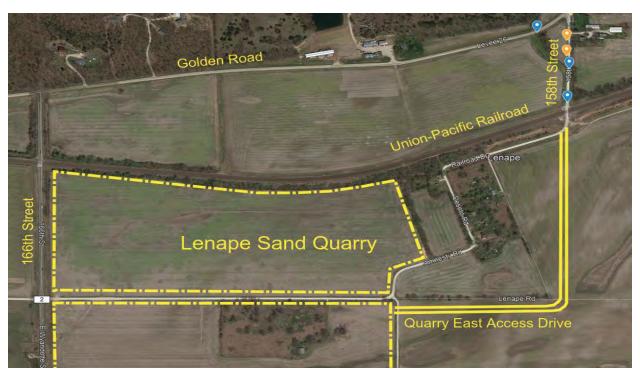
Woodend Road: Major Collector, Three Lanes with Continuous Center Left-Turn Lane, Posted Speed Limit 45 mph, Wide Gravel Shoulders

Access to the Development

The proposed sand quarry would be accessed at the existing three-leg intersection along the curved section of 158th Street & Golden Road, where the gravel section of 158th Street intersects the curved section of the paved roadways. Access would continue south over the gravel section of 158th Street and over the Union Pacific Railroad crossing, where a new private gravel driveway would connect the to the eastern property line of the proposed sand quarry. A processing and stockpile area would be located on the western side of the site close to 166th Street. Trucks would include 3 axle dump trucks and 5 axle /18-wheel tractor-trailer rigs.



158th & Golden Rd Curve and Intersection with Gravel Section of 158th St to the South



Proposed Quarry's East Access Drive

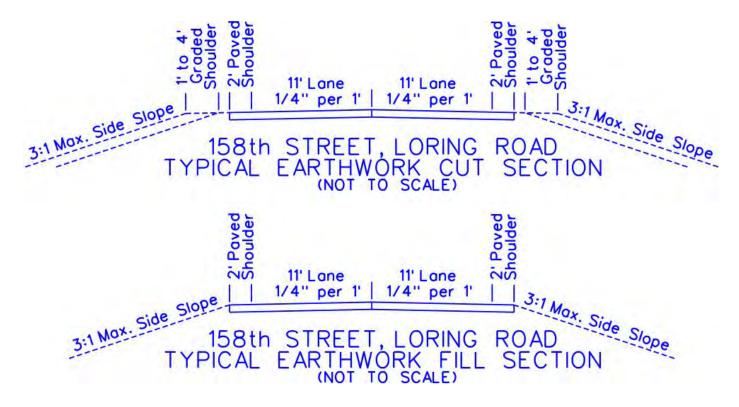
The Golden Road / 158th Street / Loring Road / Loring Drive Quarry Truck Route would connect the Lenape site to K-32 Highway by taking trucks northwards along 158th Street, then turning east on Loring Road, then turning north on Loring Drive, which transitions into K-32. The driving distance between the

proposed Lenape site and the Edwardsville Processing Plant would be approximately 12.5 miles, with a 20 minute drive time. This route is also a designated County Rural Secondary Roadway System.

The Union Pacific has a two-track railroad crossing on the gravel section of 158th Street approximately 800 ft south of Golden Road. Approximately 52 trains pass through this crossing each day. A train with 110 cars traveling at 30 mph would take approximately 2.2 minutes to cross 158th Street and there is typically a 25 second preemption time to activate the crossing gate. The total crossing delay time could be approximately 3 minutes.

Current Public Street Characteristics Adjacent to Site

Kaw Valley would direct their truck traffic and the non-company trucks authorized to access sand from the Lenape quarry to use the designated Quarry Truck Route over Golden Road - 158th Street – Loring Road – Loring Drive. The portion of Golden Road and 158th Street that would be utilized by the quarry trucks are also designated as part of Leavenworth County Route-2, and the segment of Loring Road is designated as part of Leavenworth County Route 32. With the exception of the gravel surfaced segment of 158th Street south of Golden Road, all of these streets along the proposed quarry truck route are asphalt surfaced and appear to be in good to fair condition.



The two typical roadway sections shown above were based on the record roadway plans for Golden Road/158th Street and for Loring Road. The two typical sections are based on whether the roadway was in an area of 'cut' where the existing ground was above the finished roadway surface, and in an area of fill where the existing ground was below the finished roadway surface. The 'cut' sections have graded shoulders extending between 1 to 4 ft past the edge of asphalt pavement, whereas the "fill" sections have a short transitional rounding width before the 3:1 side slope matches into the edge of asphalt.

The shoulders along the different segments of the proposed quarry truck haul route vary in width. According to AASHTO Section 4.4.1, General Characteristics (of Shoulders) the "graded" width of shoulder is that measured from the edge of the traveled way to the intersection of the shoulder slope and the foreslope planes. Shoulders may be surfaced either full or partial width. Golden Road, 158th Street and Loring Road have approximate average pavement widths of 26 ft consisting of a 2 ft wide paved edge shoulders and 11 ft wide lanes. According to AASHTO Section 4.2.2, Width of Shoulders, a minimum shoulder width of 2 ft should be considered for low-volume highways, and a 6 to 8 ft shoulder width is preferable. With the available right-of-way and the presence of open roadside ditches along both sides of nearly all of the roadway segments in the proposed quarry truck haul route, there are some areas with minimal shoulder widths where the break between the edge of pavement and the foreslope plane is only 1 ft or less. Some of the foreslopes appear to have been graded at 4:1 maximum slopes, which the AASHTO Roadside Design Guide designates as recoverable, however, there are roadside slopes steeper than 4:1.

Existing Traffic Volumes

24-hour traffic counts were recorded at the intersection of 158th Street & Loring Road from noon on Tuesday, September 10 until the following noon on Wednesday, September 11, 2019. Traffic counts were measured using a digital camera set-up at a key vantage point where all of the approaches to the intersection would be visible. The digital recording of the 24-hour traffic was processed to determine the turning movement volumes at each of the approaches to the intersection. The AM Peak Hour was 6:30 am to 7:30 am and the PM Peak Hour was 5:15 pm to 6:15 pm. Note that Kaw Valley's trucks would only be active between 7:00 am until 3:00 pm on regular weekdays. The following table summarizes the turning movement volumes measured during the AM Peak Hour, the PM Peak Hour and the 24-hour totals for each approach to the intersection:

158th & Loring Road, AM Peak Hour, PM Peak Hour and 24-Hour Turning Movements

	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
AM Peak (VPH)	5	5	2	37	1	2	1	27	40	7	43	2
PM Peak (VPH)	1	4	0	35	3	10	0	71	36	12	50	4
24Hr Total (VPD)	16	45	16	357	45	89	7	451	336	71	436	27

The recorded traffic counts indicated that the total approach volume for Loring Road to the east of the intersection was 953 vpd, with 457 vpd eastbound and 495 vph westbound. Truck traffic was 35 vpd or 3.7% of the total. The total approach volume for 158th Street to the south of the intersection was 1602 vpd, with 794 vpd northbound and 808 vph southbound. Truck traffic was 52 vpd or 3.25% of the total. Complete traffic count results have been included in the appendix.

Intersection Analysis

There were three intersections on the proposed quarry truck route in Leavenworth County which included the tee intersection at the 158th & Golden Road curve, the intersection of 158th & Loring Road and the tee intersection of Loring Road and Loring Drive. These three intersections have been modeled into Synchro

version 10 trafficware to analyze the operational characteristics under the existing traffic loads and with the additional quarry truck traffic. The AM peak hour traffic was used as the baseline volume for these models because the quarry trucks would only be operating between 7:00 am until 3:00 pm and would not be running during the PM peak hour. The AM peak hour traffic volumes were also significantly larger than any of the volumes recorded during the individual one-hour intervals during the trucks regular running time between 7:00 am and 3:00pm.

From the traffic counts taken at the 158th & Loring Road intersection, the segmental roadway volumes along 158t Street to the south and Loring Road to the east were readily calculated. Both of these street sections are part of a 'closed-circuit' along the proposed quarry truck route with no other intersections with public streets and a limited number of residential driveways.

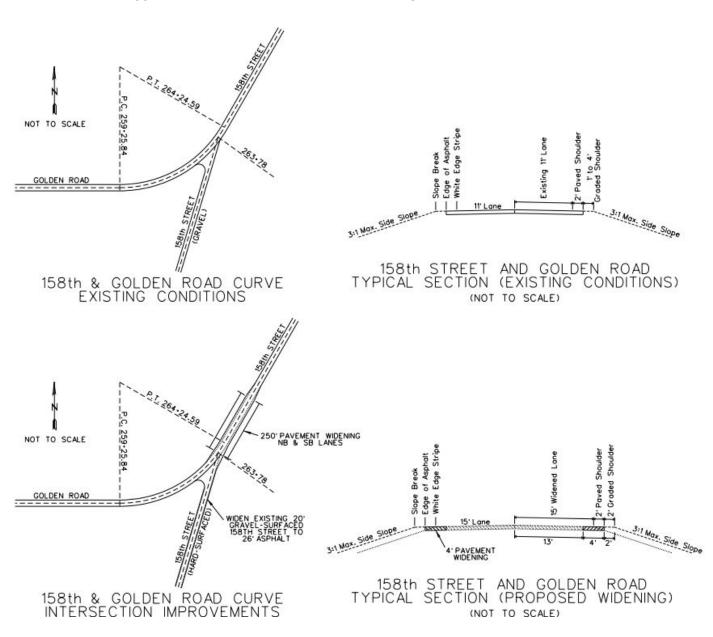
Golden Road & 158th Street Curve: The intersection of 158th & Golden Road is a tee intersection where the gravel section of 158th Street to the south intersects with the curving section of Golden Road and 158th Street. Golden Road runs east and west before turning along a 500 ft centerline radius into 158th Street running north and south. The gravel section of 158th Street to the south intersects the curve near the northern point of curvature and then extends south approximately 1000 ft to cross over the Union Pacific Railroad tracks. The angle between the gravel section of 158th Street and the tangent of Golden Road was approximately 40 degrees. Both Golden Road and 158th Street to the north are continuously paved with free vehicular movements. The southern leg of 158th Street is a low volume gravel surface local road. Kaw Valley's quarry trucks would utilize this intersection by turning on and off of the gravel section of 158th Street to access the proposed sand quarry. There are five existing farmsteads in the vicinity that have access to the gravel section of 158th Street south of Golden Road.



Golden Road - 158th Street Curve, Roadway Widening Improvements

The paved sections of Golden Road and 158th Street have a total overall width of 26 ft consisting of a 2 ft edge with an 11 ft lane on both sides of the centerline. Graded shoulder widths past the edge of pavement vary from 1 ft to 4 ft with embankment side slopes ranging from a maximum of 3:1 to 12:1 or flatter. The centerline radius of the curved segment of these streets was approximately 500 ft. Both the eastbound approach along Golden Road and the southbound approach on 158th Street have W1-2 "Curve Ahead" signs with 35 mph W13-1P Advisory Speed Plaques. The intersecting gravel section of 158th Street is stop-controlled. The surrounding terrain is relatively level (2% or less) and there are no steep roadway grades on any of the approaches.

The schematic plans and typical road sections shown below illustrate the existing and proposed characteristics of 158th Street at the curved intersection with Golden Road.



An analysis of the left-turn movements at this intersection was done to check if a left-turn lane would be warranted with the addition of the quarry trucks. The existing present-day AM peak hour traffic on eastbound Golden Road was estimated to be approximately 68 vph (including 4 trucks), with 82 vph (including 2 trucks) going south on 158th Street. The additional traffic from ten quarry trucks per hour on southbound 158th Street turning south onto the gravel section of 158th Street, and another ten quarry trucks per hour on the northbound section of 158th Street turning north onto 158th Street, was added onto the existing base conditions traffic volumes in the Synchro model.

Table 4-27. Recommended left-turn lane warrants for two-lane highways

Opposing Volume		Advancing Vo	lume V _a (vph)	
V _o (vph)	5% Left turns	10% Left turns	20% Left turns	30% Left turns
40-mph speed				
800	136	99	74	65
700	159	116	87	76
600	186	135	101	88
500	218	158	119	103
400	255	185	139	121
300	301	218	164	143
200	356	259	194	169
100	426	309	232	202
50-mph speed				
800	118	86	64	56
700	138	100	75	66
600	161	117	88	77
500	188	137	103	90
400	221	161	120	105
300	260	189	142	124
200	309	224	168	147
100	369	268	201	175
60-mph speed				
800	96	70	53	46
700	113	82	61	54
600	131	95	72	63
500	154	112	84	73
400	181	131	98	86
300	213	154	116	101
200	252	183	137	120
100	301	219	164	143
70-mph speed				
800	68	50	37	32
700	80	58	43	38
600	93	68	51	44
500	109	79	59	52
400	128	93	70	61
300	150	109	82	72
200	178	129	97	85
100	213	155	116	101

Source: Adapted from Van Schalkwyk, I., and V. Stover. Revisiting Existing Warrants for Left-Turn Lanes at Unsignalized Intersections on Two-Way Roadways, TRB 2007 Annual Meeting CD-ROM, National Research Council, Washington, D.C. (2007).

Note: Critical gap = 8.0 seconds, time to turn left = 4.3 seconds, time to clear lane = 3.2 seconds

KDOT's Access Management Policy, Section 4.5.2, Auxiliary Lane Warrants - Left-Turn Lanes, includes Table 4-27, Recommended Left-Turn Lane Warrants for Two-Lane Highways. The curved segment of Golden Road and 158th Street has a posted advisory speed of 35 mph, so 40 mph was assumed for the operating speed. The Opposing Volume (Va) was 68 vph for the oncoming eastbound that a left-turning vehicle would have to cross. The advancing volume was 92 vph which included the 82 vph of regular southbound traffic plus the 10 vph of left-turning trucks that would be turning onto the gravel section of 158th Street. The percentage of left-turns would be approximately 11% (10 Left-turns divided by 92 advancing vehicles). Entering this data into Table 4-27 shows that a left-turn lane would not be warranted by KDOT's Operational Warrant criteria at this intersection. Widening the existing 11 ft lane widths on 158th Street to 15 ft along the 250 ft long segment north of the intersection with the gravel portion of 158th Street would provide a wider storage area for southbound trucks queueing to execute a left-turn onto the gravel portion of 158th Street, and provide increased lane width for oncoming eastbound vehicles to pass along the curved segment of roadway. The widened lanes would also help to keep the northbound trucks from off-tracking and for southbound trucks to provide increased clearance for on-coming eastbound vehicles on Golden Road. The widened lanes should also be backed with an additional 2 ft of paved shoulder plus 2 ft of graded shoulder.

The existing intersection sight distance at this intersection appears to be adequate for stopped vehicles looking westwards for oncoming eastbound traffic along Golden Road, and for looking northwards for oncoming southbound traffic on 158th Street. Both roads have posted speed limits of 50 mph, and the curved segment has a posted advisory speed of 35 mph. There are some existing trees and shrubs on the inside of the curve by the northern point of curvature that limit the sight stopping distance to approximately 500 ft for the thru-movement vehicles driving along the paved sections of Golden Road and 158th Street. The terrain surrounding the intersection is fairly level allowing for stopped drivers on the gravel section of 158th Street to see oncoming eastbound traffic on Golden Road approximately 900 ft away, and oncoming southbound traffic on 158th Street approximately 1200 ft away.

For a stopped northbound quarry truck on the gravel section of 158th Street to make a right-turn onto northbound 158th Street, the AASHTO Green Book's section on Intersection Sight Distance for Case B2-Right Turn from the Minor Road, utilizes the formula ISD = 1.47 * V-major * t-g, where ISD equals the Intersection Sight Distance in ft, V-Major equals the design speed of the major roadway in mph, and t-g equals the time gap for the minor road vehicle to enter the major road. Table 9-7 provides values for t-g time gaps that includes 10.5 sec for a combination truck that would cover the WB-50 semi truck and trailer to be used for the quarry haul trucks. The Golden Road-158th Street curve has an advisory posted speed limit of 35 mph. For a 10 mph faster design speed of 45 mph, the calculated Intersection Sight Distance would need to be 700 ft. The estimated available sight distance to execute the right-turn maneuver at this location was approximately 900 ft.

The AASHTO Green Book lists minimum values for Sight Stopping Distances on Level Roadways (grades below 3%) at 250 ft for 35 mph, 305 ft for 40 mph, 360 ft for 45 mph, and 425 ft for 50 mph. Based on direct field observation of the existing roadway conditions for eastbound Golden Road and southbound 158th Street, both streets have ample sight stopping distance for drivers.

For a southbound quarry truck on 158th Street to execute a left-turn across the oncoming eastbound lane of Golden Road and onto the southbound gravel section of 158th Street, the AASHTO Green Book's section on Intersection Sight Distance for Case C2-Left and Right-Turn Maneuvers, also utilizes the

formula ISD = 1.47 * V-major * t-g, where ISD equals the Intersection Sight Distance in ft, V-Major equals the design speed of the major roadway in mph, and t-g equals the time gap for the major road vehicle to enter the minor road. Table 9-5 provides values for t-g time gaps that includes 11.5 sec for a combination truck that would cover the WB-50 semi truck and trailer to be used for the quarry haul trucks. The Golden Road-158th Street curve has an advisory posted speed limit of 35 mph. For a 10 mph faster design speed of 45 mph, the calculated Intersection Sight Distance would need to be 695 ft. The estimated available sight distance to execute a left-turn maneuver was approximately 900 ft.

KDOT's Access Management Policy, Section 4.5.1, Auxiliary Lane Warrants - Right-Turn Lanes and Deceleration Taper, includes Table 4-25, Recommended Right-Turn Treatment Guidelines for Two-Lane Highways. The curved segment of Golden Road and 158th Street has a posted advisory speed of 35 mph, so 40 mph was assumed for the operating speed. The directional design hourly volume (DDHV) for the oncoming eastbound traffic was 68 vph and the volume of right-turning trucks would be 10 vph. Entering this data into Table 4-25 shows that a right-turn lane or taper would not be warranted by KDOT's Operational Warrant criteria at this intersection. Widening the existing outside lane width of 11 ft to 15 ft would provide increased safety to allow oncoming vehicles to drive past queued southbound trucks along the curved segment of roadway.

Table 4-25. Right-turn treatment guidelines for two-lane highways

Highway DDHV (vph) 200 300 400 600		Highway Operating Speed (mph)														
Highway	4	10	4	15	5	60	5	5	6	60	6	55				
	Lane	Taper	Lane	Taper	Lane	Taper	Lane	Taper	Lane	Taper	Lane	Taper				
200				83	73	30	35	14	20	8	15	7				
300			120	40	41	19	24	9	15	7	12	6				
400	200	85	52	27	30	14	19	8	12	6	11	5				
600	50	27	26	13	20	9	14	6	10	5	9	4				
800	25	12	16	8	15	7	11	5	9	4	8	3				
1000	14	8	12	5	11	5	9	4	8	3	7	3				
1200	10	6	9	4	9	4	8	4	7	3	7	3				

Source: "Guidelines for right-turn treatments at unsignalized intersections and driveways," K-Tran:KSU-95-5, Kansas Department of Transportation, Kansas State University, Tanweer Hasan, Dr. Robert W. Stokes

<u>158th Street & Loring Road:</u> The intersection of 158th Street & Loring Road is a two-way stop-control intersection with free movement on 158th Street in the north-south directions and stop signs for east and westbound Loring Street. The western leg of Loring Street is gravel surfaced and all of the other approaches are asphalt surfaced. Kaw Valley's quarry trucks would utilize this intersection with westbound trucks on Loring Road turning south to drive to the quarry, and with northbound trucks on 158th Street turning east to drive back to the Edwardsville Plant.

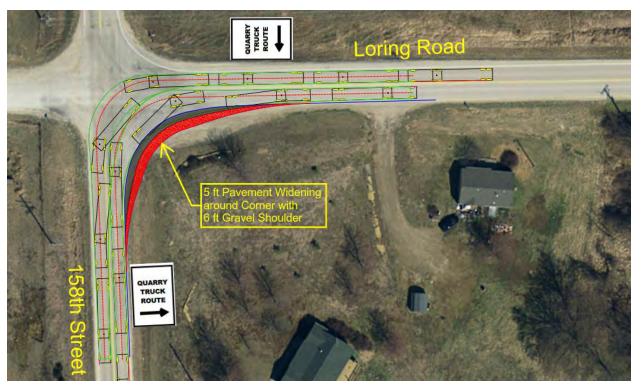
A turning template for a typical WB-50 semi truck and trailer was superimposed over an aerial view of the intersection to check that two trucks traveling in opposite directions could safely negotiate the intersection. The southeastern corner of the intersection appears to have been widened with approach and exit tapers Lenape Sand Quarry, Traffic Impact Study, June 2020 pg 19

Turning speed is 15 mph (right-turn)

The values presented in this table represent minimum right-turn design hour volumes (vph) required to warrant right-turn treatments (lane or taper)

DDHV = directional design hourly volumes

and a widened corner radius to accommodate truck traffic (CFS Engineers' drainage structure inspectors estimated that between 10 and 15 semi trucks with trailers and another 15 to 20 tandem-axle trucks drove along proposed haul route on 158th Street and Loring Road between 8:30 am and 2:30 pm on Thursday, October 24, 2019). The turning template overlay showed that the wheels of a northbound truck making a right turn around the southeast corner of the intersection would off-track from the existing edge of pavement. While large trucks typically swerve outside of their lanes while turning through unoccupied intersection approaches, if a westbound vehicle was queued at the intersection, a semi truck and trailer would off-track while turning the corner. To remedy potential off-tracking by Kaw Valley's trucks, it was recommended that the pavement around the southeast corner be widened by 5 ft with an additional 6 ft of gravel surfacing.



158th Street & Loring Road, Intersection Corner Widening Improvements

The existing intersection sight distance appears to be adequate for stopped westbound vehicles looking for oncoming north and southbound traffic along 158th Street, in order for a stopped vehicle to execute a left-turn movement. 158th Street has a posted speed limit of 50 mph. There is a crest curve to the north that limits the available intersection sight distance to approximately 850 ft, but allows a higher sitting truck driver to readily see 1100 ft before executing a left-turn movement onto southbound 158th Street. The available intersection sight distance looking south was over 1200 ft. The street grades for the north and south approaches were approximately -4% and 6%, respectively. The stop -controlled east and west approaches have relatively flat grades of 2% or less.

The AASHTO Green Book lists minimum values for Sight Stopping Distances on Grades at 460 ft for 50 mph, and 535 ft for 55 mph on a 4% downgrade. The minimum sight stopping distance was 388 ft for 50 mph, and 450 ft for 55 mph on a 6% upgrade. Based on direct field observation of the existing roadway conditions for north and southbound 158th Street, both approaches have ample sight stopping distance for drivers.

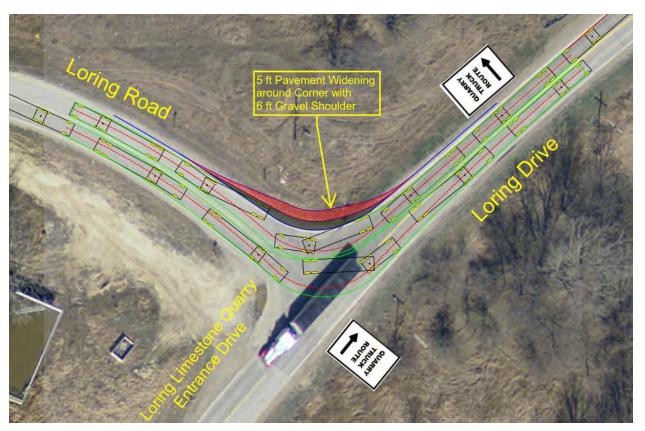
For a westbound quarry truck on Loring Road to execute a left-turn and onto the southbound lane of 158th Street, the AASHTO Green Book's section on Intersection Sight Distance for Case B1-Left Turn from the Minor Road, utilizes the formula ISD = 1.47 * V-major * t-g, where ISD equals the Intersection Sight Distance in ft, V-Major equals the design speed of the major roadway in mph, and t-g equals the time gap for the major road vehicle to enter the minor road. Table 9-5 provides values for t-g time gaps that includes 11.5 sec for a combination truck that would cover the WB-50 semi truck and trailer to be used for the quarry haul trucks. 158th Street curve has a posted speed limit of 50 mph. For a 10 mph faster design speed of 60 mph, the calculated Intersection Sight Distance would need to be 1015 ft. The estimated available sight distance based on a 7.5 ft height of driver's eye for a truck driver to execute the left-turn maneuver at this location was approximately 1100 ft.

KDOT's Access Management Policy, Section 4.5.1, Auxiliary Lane Warrants - Right-Turn Lanes and Deceleration Taper, includes Table 4-25, Recommended Right-Turn Treatment Guidelines for Two-Lane Highways. Since the threshold traffic volume of 200 vph for the directional design hourly volume was more than the highest peak hour volume for any of the approach movements to the intersection, no right-turn auxiliary lanes or tapers would be warranted on any of the legs of this intersection.

The intersection was also modeled in Synchro to check for the control delays and queueing lengths. Both the existing traffic conditions and the proposed conditions with the additional quarry truck movements added to the base traffic flows were modeled. A peak hour factor of 0.88 was used for all approaches to the intersection based on the AM Peak Hour traffic counts for the entire intersection of 158th & Loring Road. Under the existing traffic conditions, the longest lane delay was 9.5 seconds (LOS A) for the stop-controlled westbound approach with a 95th percentile queue length of 0.2 vehicle lengths. Under the proposed conditions with the addition of the quarry trucks, the longest lane delay increased to 9.9 seconds (LOS A) for the stop-controlled westbound approach with a 95th percentile queue length remaining at 0.2 vehicle lengths. The intersection experiences relatively low traffic volumes and delays and excessive queue lengths are not an issue.

Loring Road & Loring Drive: The intersection of Loring Road & Loring Drive is a tee intersection where the entrance drive for the existing Loring Limestone Quarry extends to the southwest. Loring Drive runs from the northeast to the southwest paralleling the nearby Kansas River. Loring Road runs east to west. The entrance to the existing Loring Limestone Quarry is essentially an extension of Loring Drive also running from the northeast to the southwest. Loring Road curves to the southeast to intersect with Loring Drive at close to 90 degrees. Loring Road is stop-controlled and Loring Drive is free flowing. The Existing Loring Limestone Quarry is still active as a cold-storage facility (note the semi truck in the recent aerial imagery used to evaluate the intersection truck turning movements), but not nearly as busy as it had been when it opened in the 1960's, and traffic to and from the quarry is a low volume.

Southbound Loring Drive has a posted speed limit of 45 mph and the roadway grade is relatively level (under 3%). The AASHTO Green Book's Table 3-1, Sight Stopping Distance on Level Roadways, lists SSD of 360 ft at 45 mph, and SSD of 425 ft at 50 mph. Direct field observation of the roadways indicates that the southbound approach of Loring Drive to the intersection has adequate sight stopping distance.

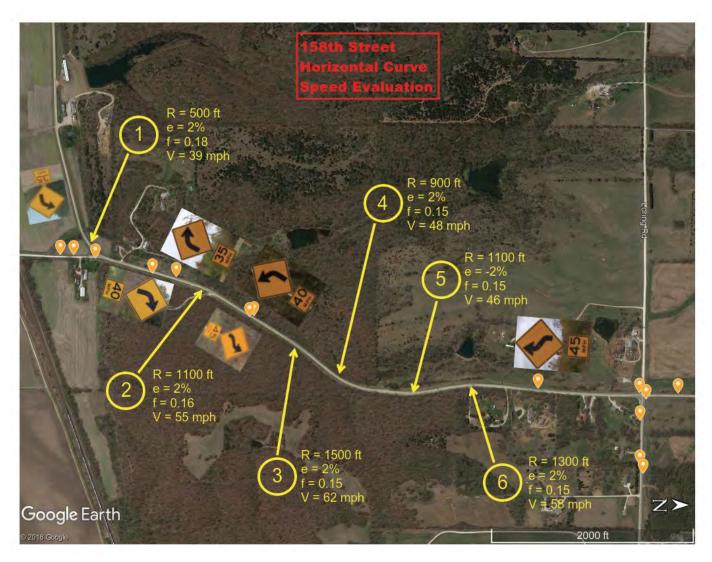


Loring Road & Loring Drive, Intersection Corner Widening Improvements

A turning template for a typical WB-50 semi truck and trailer was superimposed over an aerial view of the intersection to check that two trucks traveling in opposite directions could safely negotiate the intersection. The turning template overlay showed that the wheels of a southbound truck making a right turn around the northwest corner of the intersection would off-track from the existing edge of pavement. While large trucks typically swerve outside of their lanes while turning through unoccupied intersection approaches, if an eastbound vehicle was queued at the intersection, a semi truck and trailer would off-track while turning the corner. To remedy potential off-tracking by Kaw Valley's trucks, it was recommended that the pavement around the northwest corner be widened by 5 ft with an additional 6 ft of gravel surfacing.

Horizontal Curve Speed Evaluation

The existing horizontal curves along 158th Street between Golden Road and Loring Road were evaluated using AASHTO horizontal alignment criteria for recommended design speeds. Centerline radius values for the curves was measured/estimated based off of Google-Earth aerial topography. W1-2 curve ahead and W1-4 reverse curve ahead warning signs were posted in advance of each curve with W13-1P advisory speed plaques ranging from 35 mph to 45 mph. The centerline crowns/superelevations were measured in



158th Street Horizontal Curve Locations and Parameters

the field or estimated from photographs and roadway videos. Side friction factors were taken from AASHTO Table 3-7, Minimum Radius using Limiting Values of e and f. There were six different curves which were numbered beginning with the 500 ft radius curve transitioning between Golden Road and 155th Street on the southern end of the roadway segment. Based on the estimates and assumptions on the curve variables, the calculated design speeds for each of the horizontal curves exceeded the posted advisory speed limits.

Existing Crash Patterns

The Leavenworth County Sheriff's Department provided summaries of crashes that occurred over the past five years. The data provided from the County Sheriff's Department did not include any data from the Kansas Highway Patrol. For the street segments along the proposed quarry truck route on 1589th Street between Golden Road and on Loring Road between 158th Street and Loring Drive, the following table summarizes the total number of crash reports and types of crashes received by the County Sheriff's Office from 2015 until mid-2019.

Leavenworth County Sheriff's Department Summary of Crashes on Proposed Quarry Truck Route

	Car Damage	Deer Strike	Driver Error	DUI	Medical	Speeding	Weather	Totals
Driver Causes	1		4	1	1	1		8
Environmental Factors		5					1	6
Total Crashes	1	5	4	1	1	1	1	14

The largest cause of crashes was by deer strikes. Driver error was the second highest cause. Car damage included an instance where a vehicle caught fire (most likely by mechanical malfunction). DUI's, medical incapacitation, speeding and icy streets in winter rounded out the remaining causes.

Conclusions and Recommendations

The additional truck traffic anticipated to be generated by Kaw Valley's proposed Lenape Sand Quarry Traffic should be able to safely utilize the existing roadways along the proposed quarry truck route along 166th Street, Golden Road, 158th Street, Loring Road, Loring Drive to access K-32 Highway and travel to the company's Edwardsville Production Plant. The 8 to 10 trucks per hour making the round trips to and from the Lenape site would generate approximately 128 to 160 additional trips onto the street network on regular weekdays between the hours of 7:00 am until 3:00 pm. There would be no truck traffic from Lenape on weekends or holidays.

Kaw Valley should be able to safely transport sand from the proposed Lenape Sand Quarry site to their Edwardsville Processing Site using the existing roadway network with improvements to the intersections of the 158th & Golden Road curve, 158th & Loring Road and Loring Road & Loring Drive.

The intersection improvements at the 158th & Golden Road curve would include widening of both thru-lanes at the intersection where the gravel section of 158th Street splits off to the south. No separate southbound left turn lane was warranted based on the proposed traffic loading conditions. Because of the curving of the southbound 158th Street traffic just upstream from the intersection point, it would be better to simply stop southbound traffic until the truck has completed its turn and avoid the potential tapers and weaving for the oncoming southbound traffic to shift around a new left-turn lane.

The intersection of 158th & Loring should be widened with an additional 5 ft width of pavement along the southeast corner to prevent semi-trucks from off-tracking from the existing pavement. A 6 ft width of gravel shoulder surfacing should also be added next to the proposed pavement widening. The intersection of Loring Road and Loring Drive should also be widened on the northwest corner with an additional 5 ft of pavement and a 6 ft width of gravel surfacing to also prevent trucks from off-tracking from the existing pavement.

W11-10 Truck Traffic signs should be added to eastbound Golden Road in advance of the intersection with the gravel section of 158th Street and on southbound 158th Street in advance of the intersection with Loring Road, to alert motorists of the presence of trucks.

This Traffic Study demonstrates that the proposed Lenape Sand Quarry by Kaw Valley could be safely and reasonably operated with its trucks on the County and KDOT street network. Kaw Valley would compensate Leavenworth County with a road usage fee that would be paid on an agreed-upon basis gauged on the volume of sand extracted from the Lenape site. Kaw Valley would essentially pay a per-ton royalty to the County based on the amount of sand shipped from the site each month or yearly quarter. Kaw Valley would further be responsible for the costs of roadway improvements to the quarry truck route including the intersection improvements to the 158th & Golden Road curve, 158th & Loring Road and Loring Road and Loring Drive. Since Kaw Valley would be paying for the improvements, the company would expect that the work would be administered and bid by their own forces (subject to the oversight and approval of Leavenworth County's Public Works Engineering and Inspection Staff). The planning and execution of the work would be done in accordance with the applicable County and KDOT standards. Kaw Valley would be allowed to supply their own roadway construction materials and select their preferred Contractors subject to the approval of the County.

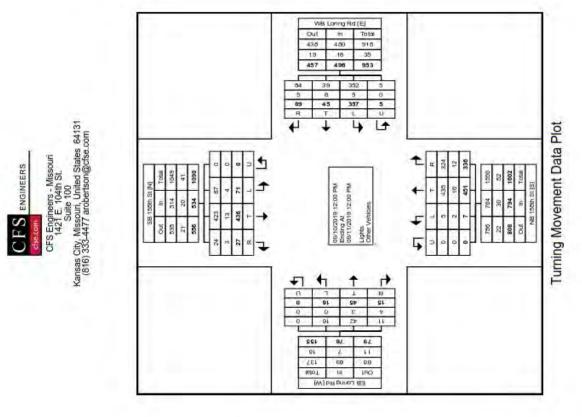
Appendix-1, Traffic Count Data

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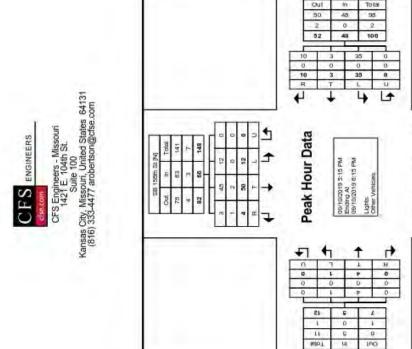
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11	14	0	45	12	111	m	2	.25	2	4	0	9	11	0	0	2	0	2	2	F	1	0	4	0	47	0	1	2	0	0	0	2	2	0	-	- 0	114	0	0	0	1	Ŧ	1	1	2	ю	7	77	9
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	60	+	13	14	8	4	2	11	9	4	0	14	12	8		0	0	4	0	0	1.	0	-	7	0	0	0	14	0	0	1	0	-	0	- ,		. 24	-	1	1	1	4	0	+	2	2	ю	1	0
,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0 0	0	0	0	0	0	0	0	0	0	0	0	0	0
	8	+	0	+	N	1	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
,	2	3	12	+	1	24	2	9	0	4	0	114	12	3	1	0	0	4	0	0	1	0		+	0	0	D	1	0	D	1	0	*	0	-	0 4	. 2	+	1	1	¥	47	0	+	2	2	n	1	0
9	0	0	+	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5 6	0	0	0	0	0	0	0	O	0	0	Ø	0	0
7:15 PM	7:30 PM	7:45 PM	Hourty Total	5:00 PM	5:15 PM	0:30 PM	5:45 PM	Hourty Total	8:00 PM	8:15 PM	8:30 PM	8:45 PM	Hourty Total	10:00 PM	10:15 PM	10:30 PM	10:45 PM	Hourly Total	11:00 PM	11:15.PM	11:30 PM	11:45 PM	Hourty Total	12:00 AM	12:15 AM	12:30 AM	12:45 AM	Hourly Total	1:00 AM	1:15 AM	1:39 AM	1:45 AM	Hourty Total	2:00 AM	Z:15 AM	Z-30 AM	Hourly Total	3:00 AM	3:15 AM	3:30 AM	3:45 AM	Hourly Total	4:00 AM	4:15 AM	4/30 AM	4:45 AM	Hourly Total	5:09 AM	5:15 AM

5:45 AM	0	9	0	,			×														ı
Hourly Total	0	0	2	0	10		0	10	0	11	16	9	0	0	22	0	23	- 4	0	10	44
6:00 AM	0	0	0	0	.0	1	0	3	0	4	9	2	0	0	7	0	1	0	0	1	20
6:15 AM	0	0	1	0	2	0	0	69	0	3	4	4	0	0	2	0	1	0	0	1	18
6:30 AM	4	-12	4.	0	14	0	4	. 12	0	13	13	13	0	0	16	0	1	0	0	4	48
6:45 AM	. 1	17	24	0	20	0	0	10	0	10	ю	4	4	0	13	Ŧ	1	1	0	m	46
Hourty Total	24	43	4	0	48	4	1	33	0	35	30	13	1	0	44	1	4	- 1	0	9	134
7:00 AM	0	7	2	0	9	1	0	0	0	9	10	9	0	0	15	-1	- 1	3	0	m	36
7:15 AM	0	7	7	0	6	1.	0	40	0	0	6	12	0	0	21	0	23	m	0	0	41
7:30 AM	1	13	1	0	15	0	0	0	0	10	0	10	0	0	11	0	2	0	0	24	30
7:45 AM		7	2	0	10	1	0	1	0	2	8	4	4	O	14	1	1	0	0	2	34
Hourty Total	24	34	1	0	43	8	0	.52	0	25	34	53	Ŧ	0	64	2	9	4	0	12	147
5:00 AM	0	1	0	0	7	- 4	0	2	0	3	7	10	0	0	12	0	0	1	0	1	23
5:15 AM	0	2	+.	0	3	1	4	4	0	m	7	19	0	0	10	0	0	0	0	0	16
5:30 AM	2	8	+	0	9	0	0	4	0	17	8	74	0	0	0	0	0	0	0	0	100
5:45 AM	0	,	1	0	0	- 4	.0	7	0	10	3	2	0	0	11	0	0	0	0	0	21
Hourly Total	2	16	0	0	21	3	4	111	0	15	20	15	0	0	35	0	0	9	0	1	75
8:00 AM	0	9	0	0	9	0	4	•	0	0	- 4	e	0	0	4	2	0	2	0	4	19
8:15 AM	0	4	0	0	4	3	0	67	0	4	2	2	0	0	4	0	1	0	0	1	13
8:30 AM	0	9	0	0	0	0	0	2	0	2	2	ø	0	0	11	0	0	0	0	0	21
8:45 AM	0	4	0	0	4	0	0	1	0		2	m	0	0	9	0	0	0	0	0	10
Hourly Total	O	21	0	0	21	ę.	4	11	0	13	2	11	0	0	24	.74	1	ė.	0	ю	63
10:00 AM	0	0	0	0	D	2	0	63	0	0	7	67	0	0	12	0	+	D	0	4	10
10:15 AM	0	0		0	9	-	4	2	0	4	4	N	0	0	9	+	0	0	0	1.	17
10:30 AM	0	63	0	0	м	6	4	0	0	10	174	4	24	0	0	0	1	0	0	1	22
10:45 AM	0	33	ю	0	9	4	0	0	0	В	4	33	0	٥	7	0	23	0	0	124	24
Hourty Total	0	11	4	0	412	10	2	16	0	25	17	14	2	0	33		4	0	0	20	10
11:00 AM	1	0	0	0	7	0	0	m	0	m		4	0	0	10	0	0	0	0	0	15
11:15 AM	0	4	0	0	4	1	2	1	0	10	2	1	D	0	6	0	TN.	0	0	154	25
11:30 AM	0	2	0	0	2	0	2	4	0	0	C4	0	0	0	10	0	0	0	0	0	10
11:45 AM	0	0	0	0	0	0	0	24	0	77	0	4	0	0	7	0	0		0	1	10
Hourly Total	1	10	0	0	18	+	4	16	a	21.	11	15	0	0	29	0	23	4	0	0	7.2
Grand Total	27	436	11	0	534	28	45	357	so.	496	336	451	1	0	784	13	45	16	0	76	1900
Approach %	5.1	51.6	13.3	0.0	.,	17.8	9.1	72.0	1.0		42.3	56.5	6:0	0.0		19.7	282	21.1	0.0		0
Total %	1.4	22.9	3.7	0.0	25.1	4.7	2.4	15.5	0.3	26.1	17.7	23.7	0.4	0.0	41.5	0.0	2.4	0.5	0.0	4.0	y
Lights	24	423	29	0	514	25	39	352	10	450	324	435	10	0	764	11	42	16	0	60	1527
% Lights	55.3	97.0	94.4	*	56.3	94.4	2.90	95.6	100.0	86.5	96.4	96.5	71.4	,	5.96	73.3	93.3	100.0		90.5	36.2
Other Vehicles	153	-13	4	0	20	10	0	0	0	16	12	16	2	0	30	4	100	0	0	7	73
The state of the s	2000									İ					I					I	

Count Name: LoringRd&158thSt Site Code: Start Date: 09/10/2019 Page No: 4

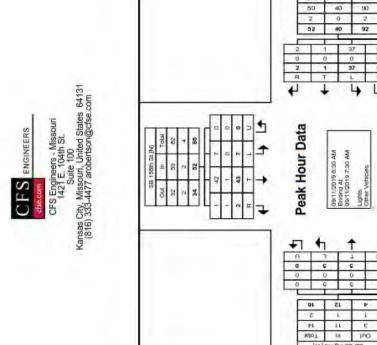


						-	SILILIO	Move	men	uming Movement Peak Hour Data (5.15 PM)	Jone D	ala (o)	2		7						
			3B 155th St					WB Loring Rd					NB 155th St				ш	EB Loring Rd			
Start Tene	Right	Thru	Left		U-Turn App. Total	Right	Third	Westbound	U-Tum	U-Tum App. Total	Right	Thru	Normbound	U-Tum	U-Tum App. Total	Right	Thru	Left	U-Tum	App. Total	Int. Total
5:15 PM		10	+	0	10		2	-10	0	14			D	0	-20	0	o	-	0	1	45
5:30 PM	0	7	И	0	6	2	4	14	0	17.	6	34	0	0	43	0	e	0	0	2	71
5:45 PM	1	20	4	0	25	4	0	0	0	8	2	14	0	0	21	0	2	0	0	24	57
6:00 PM	2	15	0	0	22	2	0	0	0	23	-13	10	D	0	23	0	O.	0	0	0	53
Total	4	90	12	0	90	10	r).	32	0	45	36	71	0	0	107	0	4	1	0	9	226
Approach %	0.1	75.5	15.2	0.0	100	20.5	6.3	72.9	0.0	1	33.6	66.4	0.0	0.0		0.0	90.0	20.0	0.0		0
Total %	1.5	22.1	5.3	0.0	29.2	4.4	4.3	15.5	0.0	21.2	15.9	31.4	0.0	0.0	47.3	0.0	1.5	0.4	0.0	2.2	,
PHF	0.500	0.625	0.600	0.000	0.660	0.625	0.375	0.625	0.000	0.706	269'0	0.522	0.000	0.000	0.622	0.000	0.500	0.250	0.000	0.625	0.795
Lights	ю	45	12	0	63	10	3	35	0	45	34	1.0	0	0	101	D	4	1	0	9	217
75 Lights	75.0	96.0	100.0	5	95.5	100.0	100.0	100.0	.0	100.0	94.4	94.4	+		94.4		100.0	100.0		100.0	96.0
Other Vehicles	1	24	0	0	æ	0	0	0	0	0	2	4	0	0	9	0	0	0	0	0	6
% Other Vehicles	25.0	40	00		4.5	nn	0.0	0.0		00	88	2.0			22		00	00	. 3	00	4.70



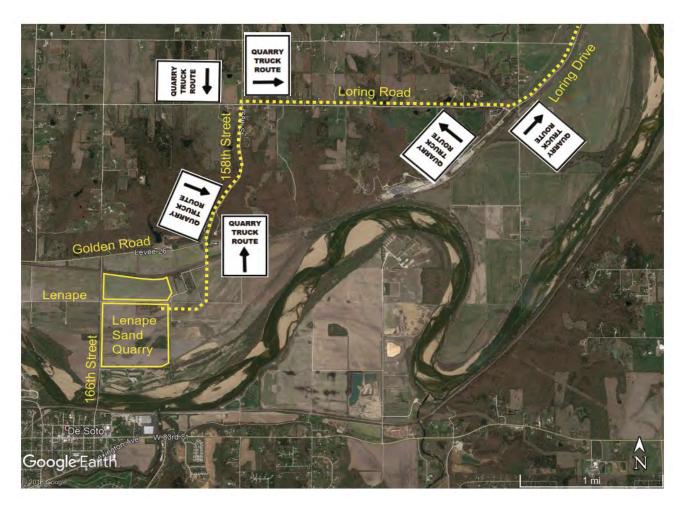
Turning Movement Peak Hour Data Plot (5:15 PM)

			Contract of the Contract of th												_						
			Seuthbound					WB Loring Rd Westbound		i			Narthbound					Eastbound	n		
Start Tene	Right	Thru	Left	U-Tum	U-Turn App. Total	Right	Thru	Left	U-Tum	U-Turn App. Total	Right	Thru	Left	U-Tum	U-Tum App. Total	Right	Thru	Tet	U-Tum	App. Total	int. Total
6:30 AM		12	. 4	0	14	0	4	-11	0	15	13	10	0	0	16	0	÷	0	0	4	48
6:45 AM	1	17	2	0	20	0	0	-10	0	10	9	4	1	0	13	7	1	1	0	3	46
7:00 AM	0	1	2	0	8	3	0	0	0	0	10	20	0	0	15	1	1.	-	0	23	36
7:15 AM	0	7	2	0	9	1	0	0	0	0	8	12	0	D	21	0	23	3	0	0	41
Total	2	43	1	0	52	2	1	37	0	40	40	27	4	0	99	2	2	9	0	12	172
Approach %	3.5	52.7	13.5	0.0	12.4	5.0	2.5	92.5	0.0	1	35.5	38.7	1.5	0.0		16.7	41.7	41.7	0.0		5
Total %	1.2	25.0	4.1	0.0	30.2	1.2	0.6	21.5	0.0	23.3	23.3	15.7	0.6	0.0	39.5	1.2	2.8	2.9	0.0	7.0	
PHF	0.500	0.632	0.575	0.000	0.650	0.500	0.250	0.544	0.000	0.556	0.769	0.563	0.250	0.000	0.510	0.500	0.625	0.417	0.000	0.600	0.575
Lights	+	42	1	0	20	2	4	37	0	40	M	25	1	0	994	+	g	0	0	11	165
% Lights	20.0	17.18	100.0	1	96.2	100.0	100.0	100.0	0	100.0	95.0	92.6	100.0		94.1	20.0	100.0	100.0	-	91.7	95.9
Other Vehicles	+	+	0	0	2	Ö	0	0	0	0	2	N	0	0	4	<i>F</i>	0	0	0	1	+
% Other Vehicles	20.0	2.3	0.0		3.5	0.0	0.0	0.0		0:0	5.0	7.4	0.0		8.0	20.0	0.0	0.0		5.3	4.1

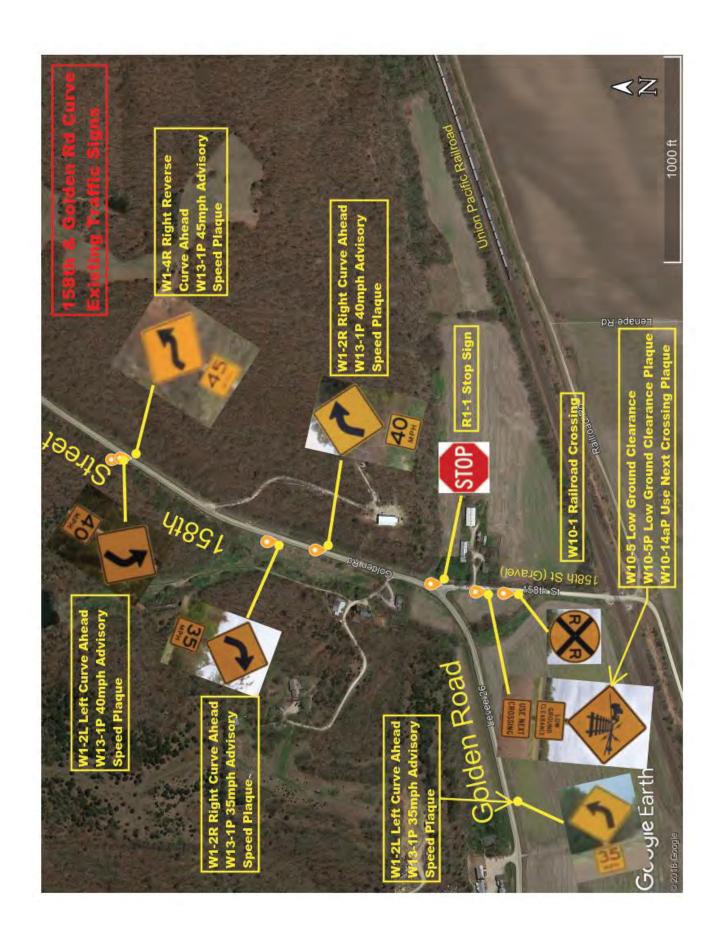


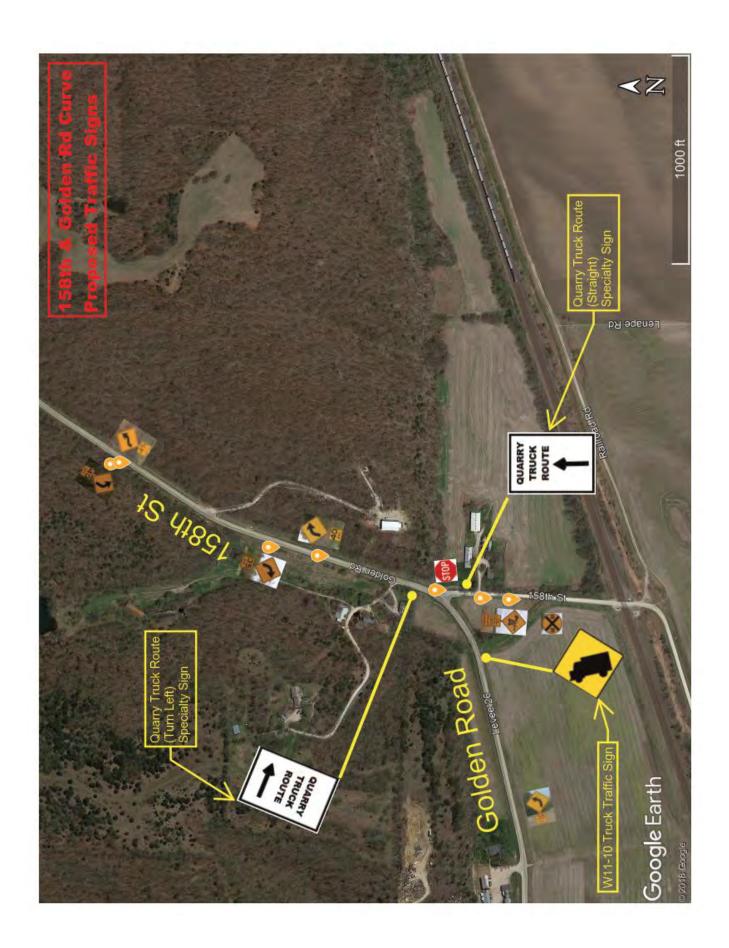
Turning Movement Peak Hour Data Plot (6:30 AM)

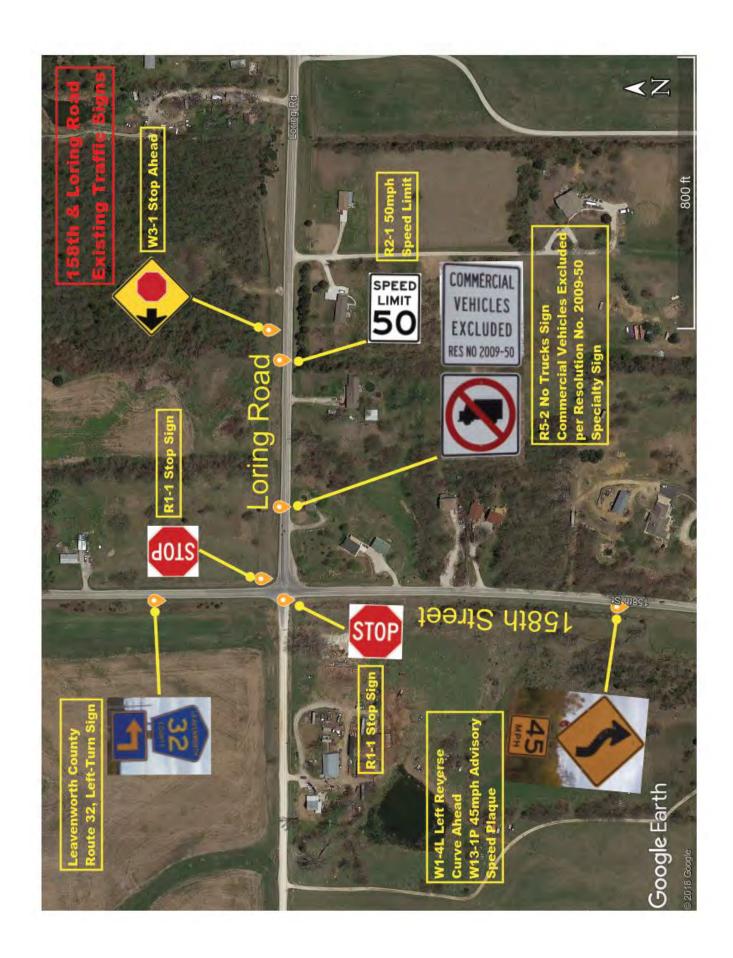
Appendix-2, Traffic Sign Inventory

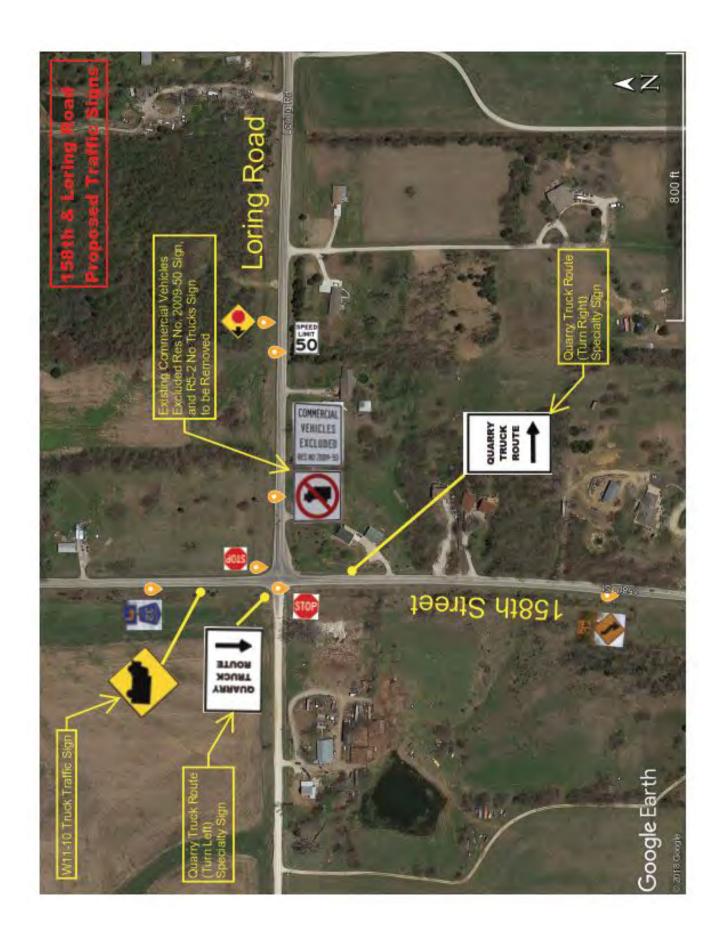


Proposed Quarry Truck Haul Route













Appendix-3, Synchro Traffic Analysis



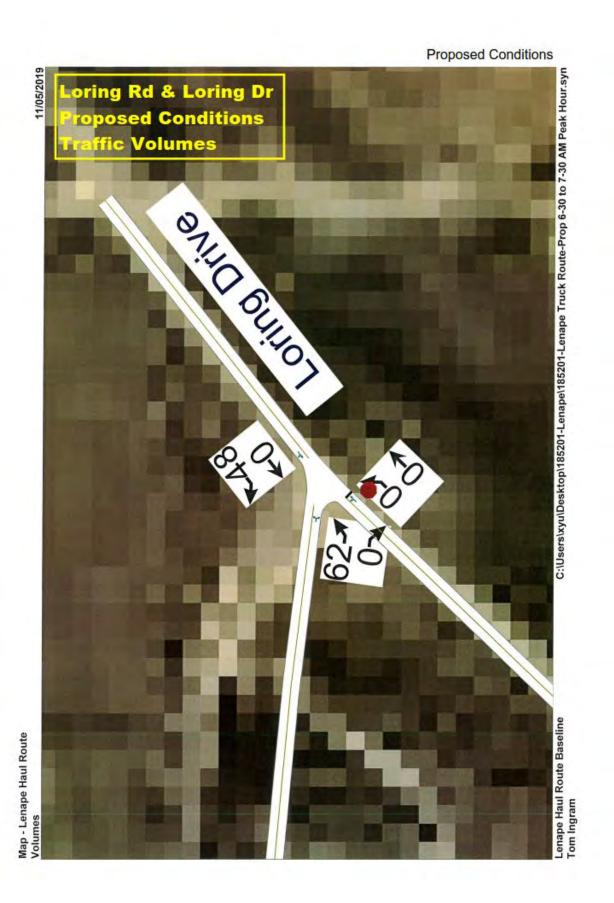
Intersection					-	
Int Delay, s/veh	0					
Movement	NBL	NBT	SBT	SBR	NEL	NER
Lane Configuration	s	4	7+		M	
Traffic Vol. veh/h	0	10	10	82	68	0
Future Vol. veh/h	0	10	10	82	68	0
Conflicting Peds, #	_	0	0	0	0	0
			1000	Free		
RT Channelized		None		None		None
Storage Length		-		-	0	TAOTIC
Veh in Median Stor			0		6974	-
Grade, %	aye,-	-	0	-	0	
Peak Hour Factor	88	88	88	88	88	88
	110000		-		17.00	00
Heavy Vehicles, %			100		6	-
Mvmt Flow	0	11	11	93	77	0
Major/Minor M	inor2	N	lajor2			
Conflicting Flow All		58	-	0		
Stage 1	58	58		-		
Stage 2	0	0	-			
Critical Hdwy	6.4	7.5		-		
Critical Hdwy Stg 1		6.5	-	-		
		0.0				
Critical Hdwy Stg 2	2.5		-	-		
Follow-up Hdwy	3.5	4.9	-	-		
Pot Cap-1 Maneuve		677	-	-		
Stage 1	970	688	-	-		
Stage 2	-	-	-	-		
Platoon blocked, %			-	-		
Mov Cap-1 Maneuv		0		-		
Mov Cap-2 Maneuv		0	-	-		
Stage 1	970	0	- 4	-		
Stage 2	+	0	+	-		
Approach	NB		SB			
			0			
HCM Control Delay			0			
HCM LOS	- (+)					
Minor Lane/Major N	lvmNI	BLn1	SBT	SBR		
Capacity (veh/h)		-	-			
HCM Lane V/C Rati	io		-	-		
HCM Control Delay		_	-	-4		
HCM Lane LOS	1-1					
HCM 95th %tile Q(v	(eh)	-		-		
TOM OUT JULIE Q(V	011/		-	-		

Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram



Intersection												
Int Delay, s/veh	3.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configuration	s	44	4		4			4			4	
Traffic Vol, veh/h	5	5	2	47	1		1	27	50	7	43	
Future Vol. veh/h	5	5	2	47	1	2	1	27	50	7	43	2
Conflicting Peds, #	/hr 0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized		1	None			None	-		None			None
Storage Length	-	-	4				-		+			
Veh in Median Stor	age	# 0			0		+	0	-	- 1	0	
Grade, %	-	0			0		- 2	6	-		-5	
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	50	21	0	0		7	24	0	2	50
Mymt Flow	6	6	2	53	1	2	1	31	57	8	49	2
201000000000000000000000000000000000000			-	1000	,	-			41			7
Major/Minor M	inor2	-	M	linor1		N	lajor1	-	M	lajor2		_
Conflicting Flow All	_	156	50	132	129	60	51	0	0	88	0	0
Stage 1	66	66	50	62	62	00	0.1	-	U	00	-	U
Stage 1 Stage 2	63	90		70	67	- 1		- 2	-	- 3	-	
Critical Hdwy	7.1	6.5		7.31	6.5	6.2	4.1	-	-	4.1	-	_
Critical Hdwy Stg 1	6.1	5.5	0.7	100000	5.5	0.2	4.1	-	-	4,1	-	-
Critical Hdwy Stg 2		5.5		6.31	5.5					-		
The state of the s	3.5	5.5		3.689	5.5	3.3	2.2	-		2.2	-	-
Follow-up Hdwy Pot Cap-1 Maneuve		740	898	798	17	1011		7		1520		-
Stage 1	950	844	090	903	847	1011	1000	-	9-1	1520	-	
	953	824	-	895			-		-	-		-
Stage 2		024		090	843	-		-	-	-	-	-
Platoon blocked, %		736	898	788	700	1011	1500		-	1500	-	
Mov Cap-1 Maneuv	SERVICE SERVICE	100		10000	-	1011	1008		-	1520		-
Mov Cap-2 Maneuv	949	736 840	-	788 902	760 846	-	7	-	*	- 2	7	-
Stage 1	10/10/1	- 1-31U EU		25.5	839	-	-		-	-	-	-
Stage 2	949	823	-	002	039		-		- "	- *	-	-
Approach	EB			WB			NB			SB		
M M Distriction	100000			9.9			0.1			1		
HCM Control Delay. HCM LOS	Α.Θ			9.9 A			0.1			1		
HCW LOS	A			A								
Minor Lane/Major N	fumit	NPI	NPT	NIPPE	BLnW	RI n1	SPI	SBT	SPD			
		1568	IND I	NORE	802		1520	001	SDIK			
Capacity (veh/h) HCM Lane V/C Rati		0.001		-		0.072		-				
. Children manufacture and a state of teach	7	7.3	-						-			
HCM Control Delay	(S)	1.1.4	0		9.6	9.9	7.4	0				
HCM Lane LOS	- 61	Α	Α	-	A	A	A	Α	-			
HCM 95th %tile Q(v	en)	0	-	-	0.1	0.2	0	-	-			

Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram

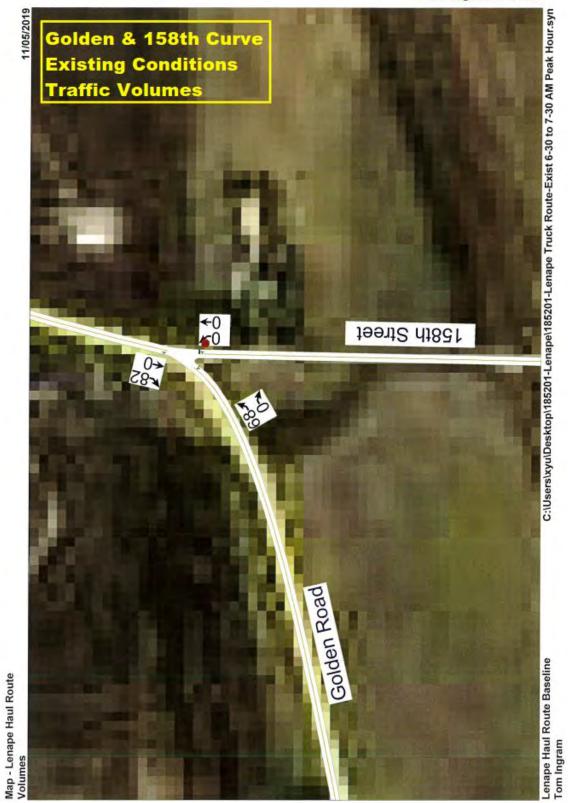


10/28/2019

Intersection	_					
Int Delay, s/veh	0					
Movement	EBL	EBR	NEL	NET	SWT	SWR
Lane Configuration	s W			4	7.	,
Traffic Vol, veh/h	62	0	0	0	0	48
Future Vol. veh/h	62	0	0	0	0	48
Conflicting Peds, #/		0	0	0	0	0
		Free				_
RT Channelized		None		None		None
	0	None		PATRICT		
Storage Length	1 1 2 1		-	0	0	
Veh in Median Stor		-		-		
Grade, %	-4	-	-	0		-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %		0	0	0	-	17
Mvmt Flow	70	0	0	0	0	55
Major/Minor		0.0	Crewi		1-:	-
Major/Minor		IVI	linor2		lajor2	_
Conflicting Flow All			28	28	-	0
Stage 1			28	28		
Stage 2			0	0	-	-
Critical Hdwy			6.4	6.5	+	-
Critical Hdwy Stg 1			5.4	5.5		-
Critical Hdwy Stg 2			-	-	-	-
Follow-up Hdwy			3.5	4	-	-
Pot Cap-1 Maneuve	er		992	869		-
Stage 1			1000	876		
Stage 2			+	-	_	-
Platoon blocked, %			100	_		
			992	0		
Mov Cap-1 Maneuv				0		
Mov Cap-2 Maneuv	er		992	7	+	
Stage 1			1000	0	-	~
Stage 2			-	0	-	-
Approach			NE		SW	
HCM Control Delay,	e	_	0		0	
HCM LOS	, 0		A		U	
HCW LOS			A			
Minor Lane/Major M	IvmN	ELn1	SWT	SWR		
Capacity (veh/h)		- 1	-	- 12		
HCM Lane V/C Rati	in	12				
HCM Control Delay		0	-			
HCM Lane LOS	(2)	A				
The state of the s	-6.5		-	-		
HCM 95th %tile Q(v	en)	-	-	-		

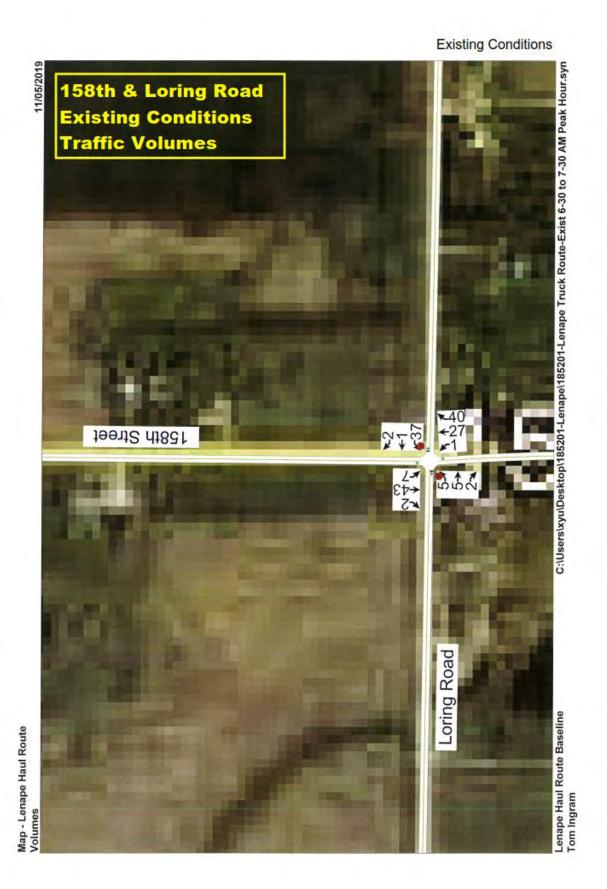
Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram

Existing Conditions



Int Delay, s/veh	0					
Movement		NBT	CDT	SBR	NE	NED
AND THE PROPERTY OF						NER
Lane Configuration		ર્લ	f.		A	
Traffic Vol, veh/h	0	0	0		68	
Future Vol, veh/h	0	0	0		68	0
Conflicting Peds, #/		0	0		0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-1	None	-	None	-	None
Storage Length	-	-	-	102	0	-
Veh in Median Stor	age#	1 0	0	-1	6974	-
Grade, %	-3-1	0	0		0	_
Peak Hour Factor	88	88	88		88	88
Heavy Vehicles, %	0	0	0	100	6	0
	0	0	0		100	
Mvmt Flow	U	0	U	93	77	0
Major/Minor Mi	nor2	M	ajor2	F 1,		
Conflicting Flow All	47	47	-	0		
Stage 1	47	47				
Stage 2	0	0		-		
Critical Hdwy	6.4	6.5	-	-		
Critical Hdwy Stg 1		5.5	-	-		
Critical Hdwy Stg 2	-	-				
Follow-up Hdwy		4				
	3.5		-	-		
Pot Cap-1 Maneuve		849		-		
Stage 1	981	860	-	(4)		
Stage 2			-	-		
Platoon blocked, %			-	(2)		
Mov Cap-1 Maneuv	e9 68	0	-	-		
Mov Cap-2 Maneuv		0	-	-		
Stage 1	981	0				
Stage 2	501	0	- 0	- 0		
Stage 2	-	U		-		
Approach	NB		SB			
HCM Control Delay,			0			
HCM LOS	Α					
Alman I === /8 #=i==	A 15	71 -4	CDT	COD		
Minor Lane/Major M	VIIIIVE					
Capacity (veh/h)			-	-		
HCM Lane V/C Rati		*	*	-		
HCM Control Delay	(s)	0	+			
10111100		Α	-			
HCM Lane LOS						

Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram

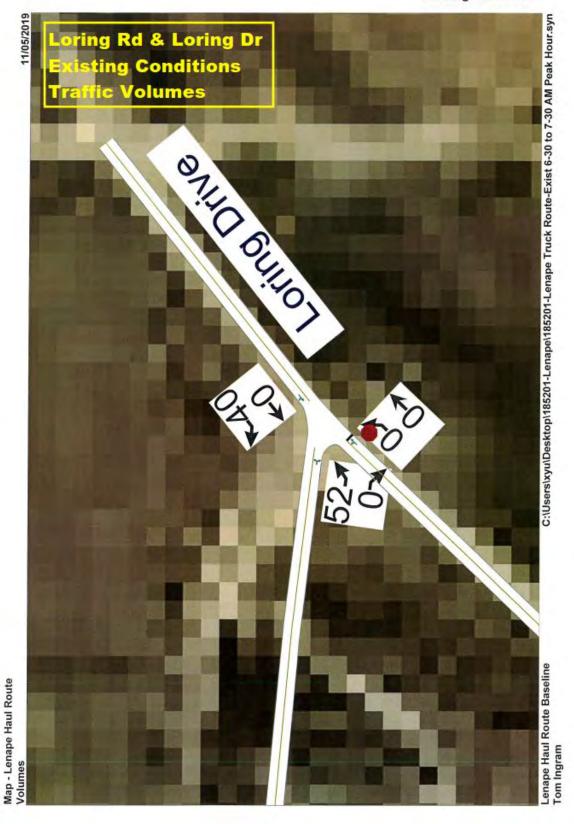


10/28/2019

Intersection	2.0								_			_
Int Delay, s/veh	3.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configuration		4			4			4			4	
Traffic Vol, veh/h	5	5		37	1	2	1	27	40	7	43	2
Future Vol, veh/h	5	5	2	37	1	2		27	40	7	43	2
Conflicting Peds, #		0	0	0	0	0		0		0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-		None	The state of	-	None	-		None	-	-	None
Storage Length	-	-	-	-	-	+	+		+		÷	-
Veh in Median Stor	age,-t	# 0	-	-	0	-	-	0	-	-	0	+
Grade, %		0	+		0		-	6	÷	-	-5	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	50	0	0	0	0	7	5	0	2	50
Mvmt Flow	6	6	2	42	1	2	1	31	45	8	49	2
Major/Minor M	inor2		N	linor1		- 1	lajor1		N	lajor2		
Conflicting Flow All	1,000,000,000	144	50	126	123	54	51	0	0	76	0	0
Stage 1	66	66	-	56	56	-	-	-			-	-
Stage 2	57	78	- 2	70	67	-		- 4				
Critical Hdwy	7.1	6.5	6.7	7.1	6.5	6.2	4.1			4.1		
Critical Hdwy Stg 1	0.74	5.5	-	6.1	5.5	0.2	347.3			4.1		-
Critical Hdwy Stg 2		5.5		6.1	5.5			-				-
Follow-up Hdwy	3.5	4	3.75	3.5	4	3.3	2.2			2.2		
Pot Cap-1 Maneuve		751	898	852	771	1019				1536		-
Stage 1	950	844	000	961	852	1010	1000		-	1000	-	
Stage 2	960	834		945	843	4					-	-
Platoon blocked, %		001		010	010			-	-		-	
Mov Cap-1 Maneuv		746	898	841	766	1019	1568		-	1536		
Mov Cap-2 Maneuv		746	-	841	766	1010	1000			1000		-
Stage 1	949	840		960	851	-						-
Stage 2	956	833		932	839					- 0		
Olago L	000	000		002	000							
A	ED			WD			NID			on		
Approach	EB	_	_	WB	_	_	NB	_	_	SB		
HCM Control Delay	1			9.5			0.1			1		
HCM LOS	Α			Α								
Minor Lane/Major N	Ivmt	NBL	NBT	NBÆ	BLnW	BLn1	SBL	SBT	SBR			
Capacity (veh/h)		1568	-	- 4	810		1536		-			
HCM Lane V/C Rati	io C	0.001	-	- (0.017	0.054	0.005	-	-			
HCM Control Delay	(s)	7.3	0		9.5	9.5	7.4	0				
HCM Lane LOS		Α	Α	-	Α	Α	Α	Α				
HCM 95th %tile Q(v	(alm)	0		-	0.1	0.2	0	-	-			

Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram

Existing Conditions



10/28/2019

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBR	NEL	NET	SWT	SWR
Lane Configuration				स	7+	
Traffic Vol, veh/h	52	0	0	0	0	40
Future Vol, veh/h	52	0	0	0	0	40
Conflicting Peds, #	/hr 0	0	.0	0	0	0
Sign Control		Free	440		Free	Free
RT Channelized		None		None		None
Storage Length	0	-		-		-
Veh in Median Stor	rage2#	# -		0	0	4
Grade, %	-4	+	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	4	0	0	0	0	0
Mvmt Flow	59	0	0	0	0	45
And a second sec	200			-	- 36	100
Mains/Missa			Canal C		laia-C	
Major/Minor		IV	linor2		lajor2	_
Conflicting Flow All			23	23	-	0
Stage 1			23	23	-	-
Stage 2			0	0	-	-
Critical Hdwy			6.4	6.5		-
Critical Hdwy Stg 1			5.4	5.5	· ·	
Critical Hdwy Stg 2			-		-	
Follow-up Hdwy			3.5	4		+
Pot Cap-1 Maneuve	er		998	874	-	-
Stage 1			1005	880	-	-
Stage 2			-	-	-	
Platoon blocked, %					-	-
Mov Cap-1 Maneuv			998	0	+	
Mov Cap-2 Maneuv	/er		998	0	-	-
Stage 1			1005	0	-	- 4
Stage 2			-	0	-	-
Approach			NE		SW	-
HCM Control Delay	S		0		0	
HCM LOS			A		,	
Minor Lago/Maior N	As are All	Eledi	CIAIT	CIMP		
Minor Lane/Major N	IVIIIIVI		_			
Capacity (veh/h)		-	-	-		
HCM Lane V/C Rat				-		
HCM Control Delay	(S)	0	-			
HCM Lane LOS	- EX	Α	-			
HCM 95th %tile Q(v	/eh)	-	-			

Lenape Haul Route 6:52 am 10/25/2019 Baseline Tom Ingram

Appendix-4, Existing Crash Data

EXISTING CRASH DATA

Leavenworth County Sheriff's Department

Quarry Truck Route (Golden - 158th - Loring)

Crashes Caused by Drivers Crashes Caused by Environmental Factors Total Crashes

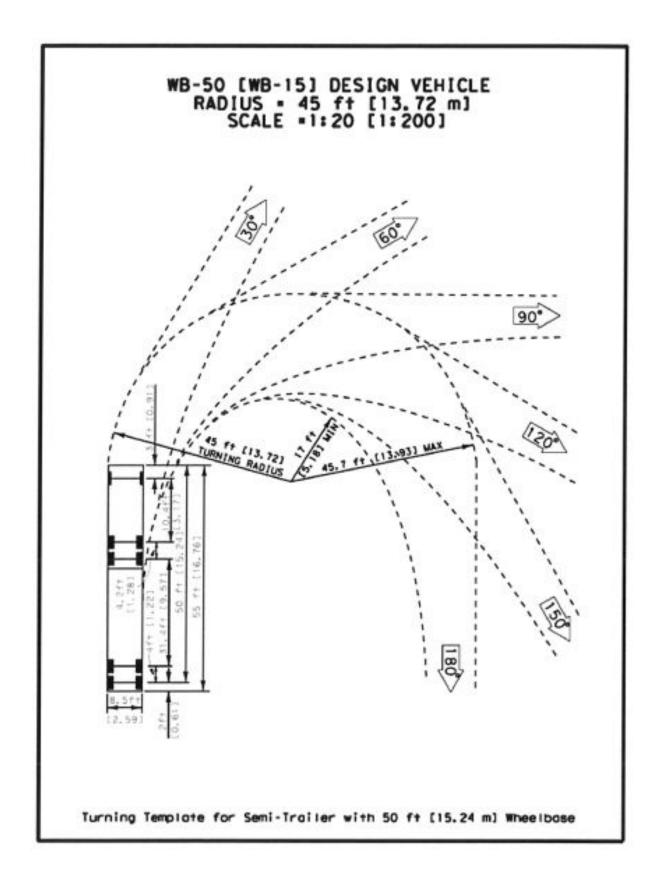
Totals	Car Damage	Deer Strike	Driver Error	DUI	Medical	Speeding	Weather
8	1		4	1	1	- 1	
6		5		1			1
14	1	5	4	1	1	- 1	1

Site 3 -158th from Golden to Loring Road

2019	No Data		
2018	Deer Strike	05/28/2018	(158th and Golden Rd)
2017	Driver Error	06/07/2017	(158th and Loring Rd) V1 and V2 SB .V2 slowed rapidity.V1 did not see brake light of signal. V1 struck V2 as he was turning.
2016	Driver Error	06/05/2016	(158th and Golden Rd) V1 was NB and unfamiliar with roadway. Driver lost control.
	Driver Error	06/19/2016	(158th and Loring Rd) Driver was taking a curve and lost control. D1 entered a ditch and struck a rock throwing D1 and passenger from motorcycle.
2015	No Data		

Site 4 - Loring Road between 158th & Bonner Springs to the east

2019	Speeding	05/28/2019	(0.1 mile East of 158th on Loring Rd.) V3 awaiting to make left turn. V2 behind V3. V1 was speeding and unable to slow striking V3 which struck V2.
	Driver Error	06/25/2019	(Loring Rd and 142nd) V2 attempted a U-turn at intersection, V1 struck V2.
2018	Weather	01/13/2018	(15' East of 158th on Loring Rd) Driver unable to stop due to ice and slid into vehicle at intersection that was stopped.
	Deer Strike	11/21/2018	(240' East of 158th on Loring Rd)
	Deer Strike	05/22/2018	(50' West of 156th on Loring Rd)
	Medical	06/18/2018	(1.2 miles East of 158th on Loring Rd.) V1 was WB on Loring Rd. V1 left the road to the left causing it to roll over:
	Deer Strike	12/06/2018	(0.3 miles West of 142nd on Loring Rd)
2017	Car Damage.	07/07/2017	(Loring Rd .2 miles East of 156th) V1 WB. V1 caught fire,
2016	DUI	01/30/2016	(2' West of 156th on Loring Rd) V1 was intoxicated and entered the ditch ejecting both passengers.
	Deer Strike	12/13/2018	(Loring Rd and 142nd)
2015	No Data		A CONTRACTOR OF THE PROPERTY O



Appendix-6, Railroad Crossing Correspondence



Tom Ingram <tingram@cfse.com>

RE: Union-Pacific RR Crossing at 158th Street in Southern Leavenworth County Re: Increased Truck traffic at Kansas Sub MP 23.42 Linwood KS (#18-5201)

1 message

Shawn Hennes [KDOT] <Shawn.Hennes@ks.gov>

Tue, Oct 29, 2019 at 1:08 PM

To: Tom Ingram <tingram@cfse.com>

Cc: Jordon Albers <jalbers@upcontractor.up.com>, "Mitch Sothers [KDOT]" <Mitch.Sothers@ks.gov>, Dan Hays <danh@kvco.net>, Lance Scott <|scott@cfse.com>, Krystal Voth <kvoth@leavenworthcounty.org>

Tom,

The current warning devices at the Union Pacific Railroad Crossing at 158th Street, USDOT# 813744D, MP 23.42 Kansas Subdivision consist of flashing light signals with gates. No warning device improvements would be required.

Shawn Hennes

Railroad Technician Specialist

Kansas Department of Transportation/Bureau of Road Design

Eisenhower State Office Building

700 S. W. Harrison Street; Topeka KS 66603-3745

(785)296-5031



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From: Tom Ingram <tingram@cfse.com> Sent: Friday, October 18, 2019 8:49 AM

To: Shawn Hennes [KDOT] <Shawn.Hennes@ks.gov>

Cc: Jordon Albers jalbers@upcontractor.up.com>; Mitch Sothers [KDOT] Mitch Sothers@ks.gov; Dan Hays danh@kvco.net; Lance Scott Lance Scott sold-reg; Krystal Voth kvoth@leavenworthcounty.org

Subject: Union-Pacific RR Crossing at 158th Street in Southern Leavenworth County Re: Increased Truck traffic at Kansas Sub MP 23.42 Linwood KS (#18-5201)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Shawn - We are working with Kaw Valley Sand & Gravel on the Lenape Sand Quarry at 166th & Lenape Road in Southern Leavenworth County. As part of our due diligence work with County Planning, we need to investigate the existing railroad track crossing on 158th Street, about 800 ft south of the 158th/Golden Road curve. This segment of 158th Street is an existing 2-lane gravel local road with an ADT of less than 100 vehicles per day. When the sand quarry is in operation, Kaw Valley plans on having 80 trucks make round trips to the site each day. The trucks would run between 7:00am until 3:00pm on regular weekdays.

Since the existing crossing is on a low-volume gravel local road, we wanted to check what the impact of adding 160 truck crossings each day (80 coming and 80 going) would be, and if any improvements would be needed at the existing crossing. Please take a look and let us know. Thanks for your help. - Tom

Tom Ingram, PE, PTOE





1421 E. 104th Street, Suite #100

Kansas City, MO 64131

816-333-4477 Office

913-620-4084 Cell

On Thu, Oct 17, 2019 at 4:39 PM Jordon Albers qiplocontractor.up.com wrote:

Tom.

Thankyou for taking my call. Please reach out to Shawn Hennes with regards to the increase traffic you are proposing across this crossing.

Thanks,

Jordon Albers jalbers@upcontractor.up.com 402-890-4754

New Public Project Information: https://www.up.com/real_estate/roadxing/contacts/index.html

UPRR Response Management Communication Center 1-888-877-7267

When making a submittal to UPRR, ensure that the following information is in the small subject line.

"Project type, % Plans, City, State, Street, Milepost, Subdivision, DOT# and Lat/Long"

If this information is not provided, your submittal and UPRR's response therein will likely result in delay.

Fiber optic cable systems may be buried on the Railroad's property. Protection of these systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Call the telephone the Railroad's Fiber Optic Hotline at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Railroad's property. Notification is required at least 48 hours prior to start of construction.

Kaw Valley Sand & Gravel Lenape Sand Quarry 166th & Lenape Road Southern Leavenworth County, Kansas CFS Project No. 18-5201

Structures & Drainage Study

February 17, 2020

Prepared for:

Kaw Valley Companies, Inc.

Attn: Dan Hays, General Manager – Sand Division

5600 Kansas Avenue

Kansas City, Kansas 66106

(913) 281-9950

Prepared by:

Cook, Flatt & Strobel Engineers P.A. 1421 E 104th Street, Suite 100 Kansas City, Missouri 64131 (816) 333-4477





Bridge and Drainage Structure Inspection Commentary for the Proposed Lenape Sand Quarry Haul Route

Introduction:

CFSE Engineers was contracted by Kaw Valley Companies, Inc. to perform a structures review of the proposed truck route for the new Lenape Sand Quarry located in Southern Leavenworth Count, Kansas. On October 24, 2019 CFSE performed on-site inspection of all noted and witnessed drainage structures along the proposed route beginning at the proposed site entrance off 158th Street South of Golden Road intersection traveling North on 158th Street then East on Loring Road and finally turning North on Loring Drive as the haul route exits Leavenworth County and enters Wyandotte County. All pipes and drainage structures were inspected visually and as well as access could provide. Inspection documentation was completed based on the KDOT Bridge Inspection Manual.

Process:

The review process for determining the structural health of each culvert started with field inspections by the Registered PE where photos and notes were taken with regard to each NBI rating category as shown on the Culvert Inspection sheets. The photos and notes were used to provide initial condition ratings in each category and recommendations were made with regard to the culvert's ability to handle the additional traffic volume of legal loading. The Culvert Condition forms were reviewed by a separate NBI Certified Team Leader for concurrence. In the report, the term "sufficient" indicates the structural integrity of the culvert is not compromised due to the additional loading or increased traffic pattern and that the culvert is expected to continue to function as originally intended.

Ratings:

Each applicable category of the structure was given a number raging according to the 2018 KDOT BLP Bridge Inspection Manual. A General Description of these rating conditions is as follows:

Rating N: Non Applicable

Rating 9: New Structure - not open to traffic Rating 8: Good Condition - no repairs needed

Rating 7: Generally Good Condition

Rating 6: Fair Condition

Rating 5: Generally Fair Condition

Rating 4: Poor Condition

Rating 3: Serious Condition

Rating 2: Critical Condition - Strongly recommend facility be closed until repair or analysis

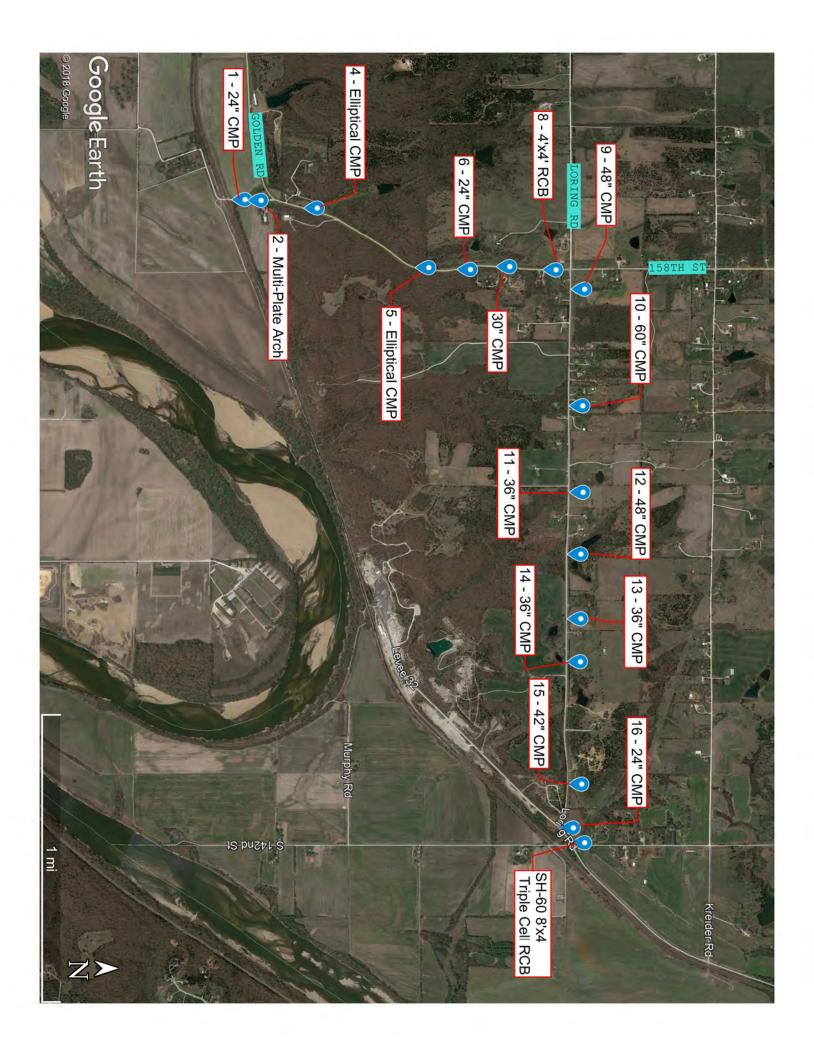
Rating 1: Critical Condition - Facility is closed, study being performed

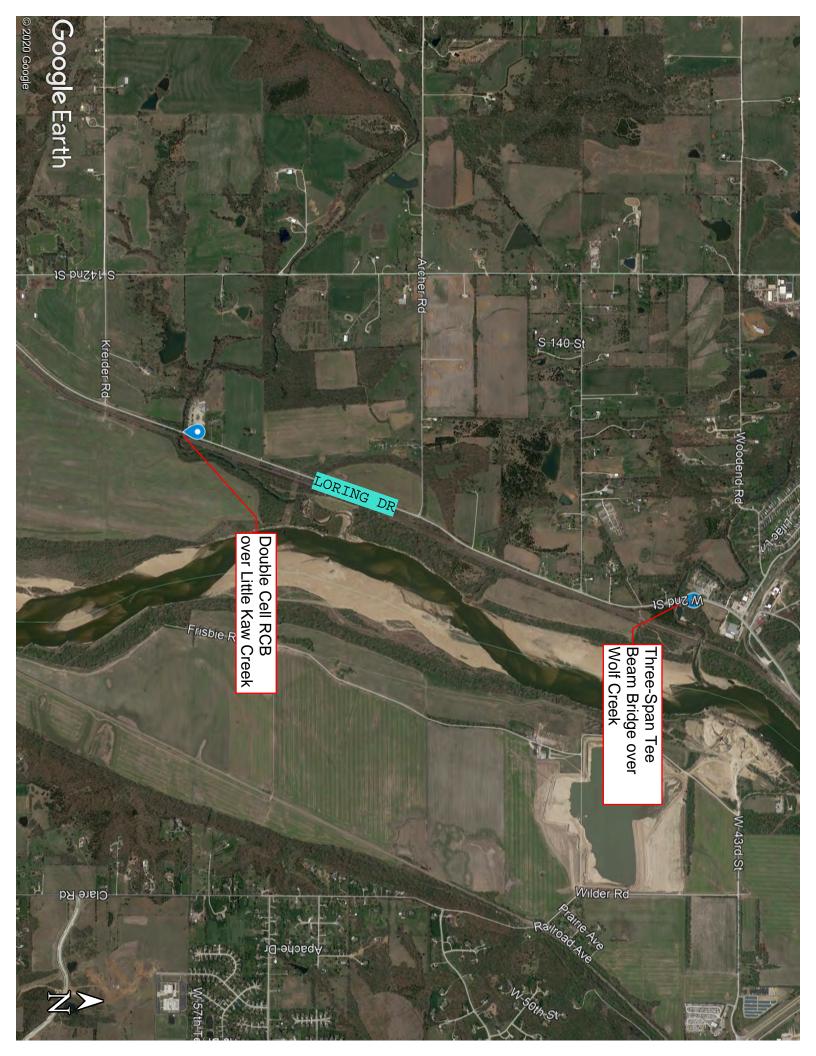
Rating 0: Critical Condition - Facility is closed and beyond repair

Results:

The Inspection Reports for each structure inspected are attached. The structures on Loring Drive include the Double Cell RCB over Little Kaw Creek (Bridge 503001050000005) and the 3-Span Tee Beam Bridge over Wolf Creek (Bridge 403001050000004). These bridges were inspected as recently as 2018-2019 and were found to support all legal truck loading as evident by the Structure Inventory and Appraisal Sheets, also attached. It is the opinion of the Engineer that the following are sufficient with regard to current conditions/traffic patterns: SH-52, 4,7, 8, 10, 11, 12, 13, 14, 15, 16, and SH-60. Culvert 1 will require cleaning by the County and will be inspected once visual inspection can occur. Culvert 2 is at least 62 years old and economically would need to be completely replaced. Any repairs to the existing metal arch would be temporary as corrosion continues to worsen. Replacement options include multi-cell RCB or metal arch structure of similar size. It is the opinion of the Engineer that culvert 5 is undersized and is a roadside safety hazard due to the lack of cover and slopes that have been lost at the ends of the pipe. We recommend replacing with 49x33 elliptical CMP and regrading the ditch. Provide additional length at outlet end and fill cover to provide improved roadside safety. Also, with regard to current traffic patterns, we recommend full replacement or sleeving of culverts 6 and 9. Alternatively, culverts 6 and 9 may remain in place and monitored for settlement of the roadway above the pipe as evidence of a failing culvert at which time the pipe may be replaced. Failure of the pipe will not be catastrophic.

One Vision. One Team. One Call.







Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION			
Roadway 158th St.	Approximately 20' North	of UP Tracks	
IDENTIFICATION	TYPE OF CULVERT	SIZE	
Culvert No. 1	Shape Circular	24" Dia possibly bigger	
	Material CMP	Estimated Length 35'	
CONDITION		-	
61 Channel & Channel Protectio Water velocities are low, no evide upstream and downstream ends v	ence of scour at ends or	embankment erosion. Minor vegetation at the ditch.	
		General Rating	4
62 Culvert Condition No Headwall or Wingwall. Settlen 5' at edge of pavement. Unable to		unable to be observed due to silt. Cover of 4 e condition	.5'-
		General Rating	
	-	n the local channel. Frequent overtopping due relocities are low, no scour indications. General Rating	e to
72 Roadway Alignment Not Considered in this ev	valuation		•
Railing			
Bridge Railing Transitions Approach Railing	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE		
	NE NONE SE		

Railroad Ditches are filled with silt and vegetation in the adjacent low lying area causing low water velocities and heavy silt buildup. The culvert size was approximated but may be much bigger as the exact size could not be determined. Culverts ability to handle additional loading is undertermined.



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 20' N	North of UP Tracks
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 1	Shape Circula	r 24" Dia possibly bigger
	Material CMP	Estimated Length 35'
DUOTOLOO		_

PHOTO LOG

Upstream End Elevation



Roadway looking South



Downstream End Elevation



Roadway looking North





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 20' N	orth of UP Tracks
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 1	Shape Circular	24" Dia possibly bigger
	Material CMP	Estimated Length 35'
PHOTOLOG		

Channel Condition looking upstream





Date 10/24/2019	Inspected	Bv	Cole Ship	VQQ	
LOCATION	ороско	<u> </u>	••••		
	ı Approxima	itely 470' South	of Interse	ection with Golden Road	
IDENTIFICATION	TYPE OF			SIZE	
	Shape	Arch		86" Height, 149" Wide at Sprir	ngline
	Material _	_Multi-Plate C	orrrugated	Estimated Length 50'	3
CONDITION			_	-	
61 Channel & Channel Protectio Water velocities are low, no evide roughly 20%. Grass vegetation at	ence of sco			•	let of
				General Rating	6
No Headwall or Wingwall. Differe to 10" in top arch plate 5' from ou		•		·	
				General Rating	4
71 Waterway Adequacy Culvert Opening reduced due to solving areas and backwater. Water				tions.	
				General Rating	4
72 Roadway Alignment Not Considered in this ev	/aluation				
Railing	<u> </u>				
_ 3	0 1 N 0 1 N				
Approach Railing	0 1 N 0 1 N				
Approach Railing Ends	0 1 N				
Hazard Markers				Weight Restriction	
	NE	NONE		-	
SW	SE			None	
Recommendations and Miscellaneous					

Upstream Ditch is silted with heavy grass vegetation. Poor Condition rating based on hole in top plate and significant distortion/settlement at centerline causing loss of fill in addition to low cover distance. No roadside protection such as guardrail or headwall. <u>Culverts ability to handle additional loading is guestionable and should be replaced.</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 470'	' South of Intersection with Golden Road
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 2	Shape Arch	86" Height, 149" Wide at Springline
	Material Multi-P	Plate Corrrugated Estimated Length 50'
PHOTOLOG		

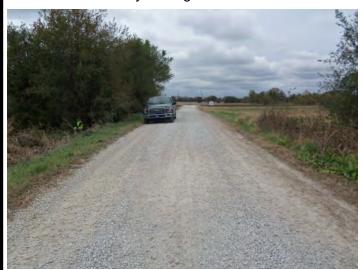
Upstream End Elevation



Roadway looking South



Downstream End Elevation







Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 470'	South of Intersection with Golden Road
IDENTIFICATION	TYPE OF CULVER	SIZE SIZE
Culvert No. 2	Shape Arch	86" Height, 149" Wide at Sprinç
	Material Multi-P	late Corrrugated Estimated Length 50'
PHOTO LOG		

Looking Thru Culvert



Downstream Channel



Upstream Channel



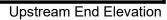




Date 10/24/2019	Inspected E	Rv	Cole Shippy	
LOCATION	mspecieu i	ЭУ	Соје Зпірру	
Roadway 158th St.	Annrovima	italy 330' North	n of Driveway 12421	
IDENTIFICATION	TYPE OF C	•	SIZE	
Culvert No. 4			57"x38"	
Culvert No. 4	Shape Material	Elliptical CMP	Estimated Length 50'	
CONDITION	Material	Civii	Latinated Length 30	
61 Channel & Channel Protection		ur at ends or e	embankment erosion. Vegetation at inlet and	
			General Rating	8
62 Culvert Condition No Headwall or Wingwall. Significe and rusting of the pipe.	cant settlem	nent at CL road	dway of 4". Cover of 32". Moderate corrosion General Rating	5
			General Nating	ار
71 Waterway Adequacy Culvert Opening is sufficient with	no signs of	[:] overtopping. \	Water velocities are low, no scour indications General Rating	6
72 Roadway Alignment Not Considered in this ev	valuation			
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N			
Hazard Markers			Weight Restriction	
NW SW	NE SE	NONE	 None	
Recommendations and Miscellaneous Culvert is showing signs of corros deformed. <u>Culverts ability to han</u>	sion and dis	stortion due to I	low cover and age. Downstream end is slight ufficient.	ily



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 330'	North of Driveway 12421
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 4	Shape Elliptica	al 57"x38"
	Material CMP	Estimated Length 50'
DUOTOLOC		





Roadway looking South



Downstream End Elevation



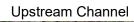
Roadway looking North





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 330'	North of Driveway 12421
IDENTIFICATION	TYPE OF CULVER	Γ SIZE
Culvert No. 4	Shape Elliptica	57"x38"
	Material CMP	Estimated Length 50'
D110 T0 1 0 0		









Date 10/24/2019	Inspected By	Cole Shi	ippy	
LOCATION		C 0.0 0	·FF)	
Roadway 158th St.	39° 0'24.31"N	94°56'46.41"W		
IDENTIFICATION	TYPE OF CUL	VERT	SIZE	
Culvert No. 5	Shape Elli	ptical	42"x28"	
	Material CM	•	Estimated Length 50'	
CONDITION			-	
61 Channel & Channel Protection Drift build-up at inlet with top coverembankment.		ed away. Light vege	etation of grass and sapplings at	each
			General Rating	7
62 Culvert Condition No Headwall or Wingwall. Signific and rusting of the pipe. Outlet end				
			General Rating	5
71 Waterway Adequacy Culvert Opening is insufficient wit embankment at outlet. Channel s cover.				
				- 1
72 Roadway Alignment Not Considered in this ev	/aluation			
Railing				
Bridge Railing Transitions	0 1 N			
Approach Railing	0 1 N 0 1 N			
Approach Railing Ends	0 1 N			
			Weight Restriction	
Hazard Markers			Meidir izestirrioti	
Hazard Markers NW	NE NC	DNE		
NW	NE <u>NC</u> SE	NE	None	

Culvert is showing signs of corrosion and distortion due to low cover and age. Downstream end is deformed. Gaurdrail is needed at DS end. <u>Culverts ability to handle additional loading is questionable.</u>

Recommend cutting back deformed portion and extending pipe to ditch flowline and adding embankment over the end to improve roadside safety.



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	39° 0'24.31"N 94°56'46	6.41"W
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 5	Shape Elliptical	42"x28"
	Material CMP	Estimated Length 50'
PHOTO LOG]	
Upstream End Elevation		Downstream End Elevation
		Section 1997 Secti
CALL THE WAY		
A STATE OF THE STA		
		CANADA AND AND AND AND AND AND AND AND AN
A CONTRACTOR OF THE STATE OF TH	40.000	
		THE RESERVOIR
	《公司》	《中国人》
Roadway looking South		Roadway looking North
17		



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	39° 0'24.31"N 94°	56'46.41"W
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 5	Shape Elliptica	al 42"x28"
	Material CMP	Estimated Length 50'
PHOTOLOG		

Upstream Channel





function and structural capacity.

D + 40/04/0040			
Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION	l		
Roadway 158th St.	39° 0'31.83"N 94°56'45		
IDENTIFICATION	TYPE OF CULVERT	SIZE	
Culvert No. 6	Shape Circular	24" Dia.	
	Material CMP	Estimated Length 70'	
CONDITION			
61 Channel & Channel Protectio Minor silt/drift/trash at inlet. Emba the pipe due to section loss in the	ankments stabilized with n	noderate vegetation and rock channel. Sc	our at
		General Rating	7
62 Culvert Condition No Headwall or Wingwall. Signific loss in pipe btm for 10' of length.	cant settlement at CL road	dway of 4". Cover of 4' to 10'. Complete se	∍ction
		General Rating	3
71 Waterway Adequacy Culvert Opening is sufficient with of section.	no signs of overtopping.	Scour internally within the pipe due to the General Rating	loss
72 Roadway Alignment Not Considered in this ev	valuation		
Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE	<u></u> -	
	SE	None	
•	complete loss of materal at	t flowline leading to scour within the pipe. Recommend sleeving the culvert to restore	ore_

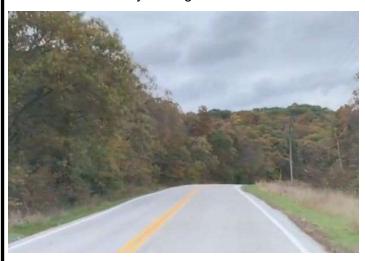


Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	- 117
Roadway 158th St.	39° 0'31.83"N 94°	56'45.86"
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 6	Shape Circular Material CMP	24" Dia. Estimated Length 70'
PHOTO LOG		
Upstream End Elevation	 1	Downstream End Elevation



Roadway looking South









Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	39° 0'31.83"N 94°56'45	5.86"
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 6	Shape Circular	24" Dia.
	Material CMP	Estimated Length 70'

Looking Thru Culvert







Culvert Section Loss





Date 10/24/2019	Inspected	Ву	Cole Shippy
LOCATION			
Roadway 158th St.	Approxima	tely 43' South	of Driveway 12966
IDENTIFICATION	TYPE OF	CULVERT	SIZE
Culvert No. 7	Shape	Circular	30" Dia.
	Material _	_CMP	Estimated Length 48'
CONDITION			-
61 Channel & Channel Protection Minor silt buildup at inlet with scound and rock channel.		e at outlet. Em	nbankments stabilized with moderate vegetation
			General Rating 7
62 Culvert Condition No Headwall or Wingwall. No not the exposed ends of the pipe.	icable settl	ement or defle	ection. 24" of cover. Minor rust and corrosion at
			General Rating 7
71 Waterway Adequacy Culvert Opening appears to be su as overflow is diverted farther do			ng evidence at the inlet. Low risk of overtopping General Rating 6
72 Roadway Alignment Not Considered in this ev	/aluation		
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers			Weight Restriction
NW	NE	NONE	<u> </u>
SW	SE		None
Recommendations and Miscellaneous Minor corrosion at ends of pipe wadditional loading is sufficient.			t or deflection. <u>Culverts ability to handle</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 43' S	South of Driveway 12966
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 7	Shape Circulai	r 30" Dia.
	Material CMP	Estimated Length 48'
DHOTO LOC		_



Roadway looking South



Downstream End Elevation



Roadway looking North





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 43' So	uth of Driveway 12966
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 7	Shape Circular	30" Dia.
	Material CMP	Estimated Length 48'
PHOTO LOG		

Upstream Channel





D-1- 10/01/0010	Inamastad	D.,	Cala Shi			
Date 10/24/2019	Inspected	Ву	Cole Shi	рру		
LOCATION Deadway 159th St	A = = = avimu	-+-l. 47! Cauth	-f Drivou	40440		
Roadway 158th St.		ately 47' South	of Drivew	•		
IDENTIFICATION		CULVERT	J	SIZE		
Culvert No. 8	Shape Meterial	Square		4'x4'	N 41	
CONDITION	Material	_RCB		Estimated Length 6	i4 [.]	
61 Channel & Channel Protection Minor silt buildup throughout box, inlet embankment with rock slope upstream channel causing minor	, rock slope e protection	n. Signs of past		ment erosion prior to r	•	in
				General Rating		7
62 Culvert Condition Headwall and straight wingwalls s cover. RCB top and walls have m				iable settlement or de	flection. 5' c	of
				General Rating		7
71 Waterway Adequacy Culvert Opening appears to be su the channel at inlet or outlet.	ufficient wit	:hno evidence d	of ponding	g at the inlet. No evide General Rating	ence of scou	ur in
72 Roadway Alignment						
Not Considered in this ev	√aluation					
Railing						
Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N					
Hazard Markers				Weight Restriction		
NW	NE	NONE		ļ	_	
SW	SE			None		
Recommendations and Miscellaneous Minor cracking and staining typics additional loading is sufficient.			alls or cra	acks noted. <u>Culverts a</u>	ability to han	<u>dle</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 47' S	South of Driveway 13142
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 8	Shape Square	4'x4'
	Material RCB	Estimated Length 64'
DUOTOLOC		-



Roadway looking South



Downstream End Elevation



Roadway looking North





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway 158th St.	Approximately 47' So	uth of Driveway 13142
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 8	Shape Square	4'x4'
	Material RCB	Estimated Length 64'
PHOTO LOG		

Looking Thru Culvert



Downstream Channel





Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION	,	•••	
Roadway Loring Road	Approximately 500	00' East of 158th St.	
IDENTIFICATION	TYPE OF CULVE	ERT SIZE	
Culvert No. 9	Shape Circul	ılar 48" Dia.	
	Material CMP	Estimated Length 65'	
CONDITION		-	
61 Channel & Channel Protection Up to 30% silt buildup in pipe. Mote additional flow obstruction.		n at inlet and outlet banks. Tree at outlet causing	
		General Rating	3
		deflection of 3". 5' to 10' of cover. Moderate rust and ection loss of pipe below flowline at Inlet end. Moderate	
		General Rating	ī
71 Waterway Adequacy Culvert Opening appears to be subelow holes in the pipe.	ufficient with no evi	vidence of ponding at the inlet. Minor scour at the inlet General Rating	7
72 Roadway Alignment Not Considered in this ev	valuation		
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE	Ē <u> </u>	
SW	SE	None	
• •	nd heavy silt build	dup. <u>Culverts ability to handle additional loading is</u> oipe to restore functionality and structural capacity.	



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	· · ·
Roadway Loring Road	Approximately 500' Eas	st of 158th St.
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 9	Shape Circular	48" Dia.
	Material CMP	Estimated Length 65'
PHOTO LOG		
Upstream End Ele	vation	Downstream End Elevation
Roadway looking E	ast	Roadway looking West



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 500'	East of 158th St.
IDENTIFICATION	TYPE OF CULVER	SIZE SIZE
Culvert No. 9	Shape Circula	r 48" Dia.
	Material CMP	Estimated Length 65'
DUGTOLOG		







Date 10/24/2019	Inspected	Ву	Cole Shippy	
LOCATION		•		
Roadway Loring Road	Approxima	itely 110' East	of Driveway 15428	
IDENTIFICATION	TYPE OF	CULVERT	SIZE	
Culvert No. 10	Shape	Circular	60" Dia.	
	Material _	_CMP	Estimated Length 80'	
CONDITION			-	
61 Channel & Channel Protection Minor silt buildup in pipe outlet. M Minor scour at inlet headwall.		getation at inle	et and outlet banks with stable embankmer	nts.
			General Rating	8
62 Culvert Condition Concrete inlet headwall minor street deflection with 6' of cover. Minor		•		
			General Rating	8
geometry. Minor scour at the outle	et from hig		ice of ponding at the inlet due to the headves. General Rating	vall
Not Considered in this ev	/aluation			
Railing Bridge Railing Transitions Approach Railing Approach Railing	0 1 N 0 1 N 0 1 N 0 1 N			
Hazard Markers			Weight Restriction	
NW	NE	NONE		
SW	SE		None	
Recommendations and Miscellaneous Minor corrosion at ends of pipe wadditional loading is sufficient.			or deflection. <u>Culverts ability to handle</u>	



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 110'	East of Driveway 15428
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 10	Shape Circula	r 60" Dia.
	Material CMP	Estimated Length 80'
PHOTO LOG		





Roadway looking East



Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 110'	East of Driveway 15428
IDENTIFICATION	TYPE OF CULVER	Γ SIZE
Culvert No. 10	Shape Circular	60" Dia.
	Material CMP	Estimated Length 80'
DUOTOLOO		





Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION			
Roadway Loring Road	Approximately 352' East	of Driveway 15251	
IDENTIFICATION	TYPE OF CULVERT	SIZE	
Culvert No. 11	Shape Circular	36" Dia.	
	Material CMP	Estimated Length 117'	
CONDITION		-	
61 Channel & Channel Protection Slight drift buildup at inlet with society embankments. Minor silting at our	ouring around the pipe. M	linor scour at outlet end with stabil General Rating	7
		General Rating	7
62 Culvert Condition No Headwall or Wingwall. No signed staining of the pipe.	nificant settlement. Cover	of approximately 15'. Minor corrosion and General Rating	8
		General Nating	0
71 Waterway Adequacy Culvert Opening appears to be sufrom drift.	ufficient with some eviden	ce of ponding at the inlet due to obstruction General Rating	7
72 Roadway Alignment Not Considered in this ev	valuation		
Railing			
Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE		
SW	SE	None	
Recommendations and Miscellaneous Minor corrosion and staining with loading is sufficient.		deflection. <u>Culverts ability to handle addition</u>	<u>nal</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 352'	' East of Driveway 15251
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 11	Shape Circula	ır 36" Dia.
	Material CMP	Estimated Length 117'
DUOTO LOC		_



Roadway looking East



Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 352'	East of Driveway 15251
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 11	Shape Circular	36" Dia.
	Material CMP	Estimated Length 117'
DUOTOLOO		





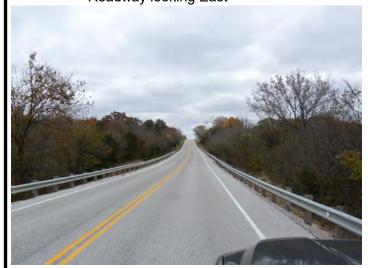
Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION			
Roadway Loring Road	Approximately 353'	' East of Driveway 15064	
IDENTIFICATION	TYPE OF CULVER	RT SIZE	
Culvert No. 12	Shape Circula	ar 48" Dia.	
	Material CMP	Estimated Length 117'	
CONDITION			
61 Channel & Channel Protection Slight drift buildup at inlet with scenario embankments. No silt buildup.		pipe. Minor scour at outlet end with stable	
		General Rating	8
62 Culvert Condition No Headwall or Wingwall. Deflect staining of the pipe at flowline and	<u> </u>	of 2". Cover of approximately 15'. Minor corrosion nds. General Rating	and
		General Raung	O
71 Waterway Adequacy Culvert Opening appears to be su wings to divert water into pipe.	ıfficient with some e	evidence of ponding at the inlet due to not having General Rating	7
72 Roadway Alignment Not Considered in this ev	<i>r</i> aluation		
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE		
SW	SE	None	
Recommendations and Miscellaneous Minor corrosion and staining with loading is sufficient.		center of pipe. <u>Culverts ability to handle additional</u>	-



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 353'	East of Driveway 15064
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 12	Shape Circular	r 48" Dia.
	Material CMP	Estimated Length 117'
DUOTOLOG		-



Roadway looking East



Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 353' I	East of Driveway 15064
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 12	Shape Circular	48" Dia.
	Material CMP	Estimated Length 117'
DUIGTO LOO		_





Date 10/24/2019	Inspected	Ву	Cole Ship	opy	
LOCATION					
Roadway Loring Road	Approxima	ately 245' East	of Drivewa	ay 14980	
IDENTIFICATION	TYPE OF	CULVERT		SIZE	
Culvert No. 13	Shape	Circular	-	36" Dia.	
	Material _	_CMP		Estimated Length 75'	
CONDITION					
61 Channel & Channel Protectio High vegetation in the inlet and ou to flow at inlet. Major outlet obstru	utlet flowlin			<u> </u>	uction
 				General Raung	U
62 Culvert Condition No Headwall or Wingwall. Signific upwards. Cover of approximately			•		∍ pipe
				General Rating	6
71 Waterway Adequacy Culvert Opening is sufficient with	some no e	vidence of por	nding at the	e inlet. General Rating	8
72 Roadway Alignment Not Considered in this ev	valuation				
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N				
Hazard Markers				Weight Restriction	
NW	NE	NONE		ļ	
SW	SE			None	
Recommendations and Miscellaneous Minor corrosion and staining with loading is sufficient.			outlet of pip	oe. <u>Culverts ability to handle adc</u>	<u>itional</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 245'	East of Driveway 14980
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 13	Shape Circular	r 36" Dia.
	Material CMP	Estimated Length 75'
PHOTOLOG		







Downstream End Elevation







Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 245'	East of Driveway 14980
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. 13	Shape Circular	r 36" Dia.
	Material CMP	Estimated Length 75'





Downstream Channel





Date 10/24/2019	Inspected	Ву	Cole Shippy	
LOCATION	·		· · · •	
Roadway Loring Road	['] Approxima	itely 261' West	st of Driveway 14669	
IDENTIFICATION	TYPE OF (-	SIZE	
Culvert No. 14	Shape	Circular	36" Dia.	
	Material	_CMP	Estimated Length 80'	
CONDITION			<u> </u>	
	. Moderate of pipe is a	pproximately 4	utet with embankment erosion from higher flo 40% filled with silt obstructing flow. Silt buildu General Rating	
			General Raung	O O
62 Culvert Condition Concrete area inlet with minor str pipe at outlet and pipe flowline. U				
			General Rating	4
71 Waterway Adequacy Culvert Opening appears to be su from silt buildup in channel. No co		•	the channel required. Scour at outlet is likely General Rating	7
Not Considered in this ev	valuation			
	'diudiiOi i			
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N			
Hazard Markers			Weight Restriction	
	NE	NONE	·	
SW	SE		None	
Recommendations and Miscellaneous Moderate corrosion and staining i additional loading is sufficient.			t sediment buildup. <u>Culverts ability to handle</u>	



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 261' W	est of Driveway 14669
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 14	Shape Circular	36" Dia.
	Material CMP	Estimated Length 80'
PHOTO LOG		-

Upstream End Elevation



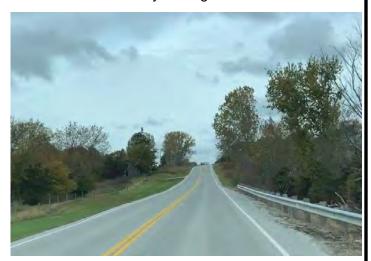
Roadway looking East



Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 261' W	est of Driveway 14669
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 14	Shape Circular	36" Dia.
	Material CMP	Estimated Length 80'
D110 T0 1 0 0		







Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION			
Roadway Loring Road	Approximately 79' East	of Driveway 14400	
IDENTIFICATION	TYPE OF CULVERT	SIZE	
Culvert No. 15	Shape Circular	42" Dia.	
	Material CMP	Estimated Length 70'	
CONDITION			
61 Channel & Channel Protectio Minor silt/rock buildup at inlet with Embankments stabilized with mod	n minor scour evidence a	at each end due to not having wings . ck channel. General Rating	7
		General Nating	
62 Culvert Condition No Headwall or Wingwall. Up to 3 exposed ends of the pipe and flow		ay. 4'-6' of cover. Minor rust and corrosion at General Rating	the 6
		General Rating	<u> </u>
71 Waterway Adequacy Culvert Opening appears to be su overtopping.	ufficient with minor scour	at the ends from ponding water. No concern General Rating	for
72 Roadway Alignment Not Considered in this ev	valuation		
Railing Bridge Railing Transitions Approach Railing Approach Railing	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE		
SW	SE	None	
Recommendations and Miscellaneous Slight deflection at CL roadway w sufficient.		ulverts ability to handle additional loading is	



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 79' Ea	ast of Driveway 14400
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 15	Shape Circular	42" Dia.
	Material CMP	Estimated Length 70'
DUGTOLOG		

Upstream End Elevation



Roadway looking East



Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 79' Ea	st of Driveway 14400
IDENTIFICATION	TYPE OF CULVERT	SIZE
Culvert No. 15	Shape Circular	42" Dia.
	Material CMP	Estimated Length 70'
DUOTOLOG		_





Looking Thru Culvert





Date 10/24/2019	Inspected By	Cole Shippy	
LOCATION			
	Approximately 10' East	of intersection with Levee 32 Rd	
IDENTIFICATION	TYPE OF CULVERT	SIZE	
Culvert No. 16	Shape Circular	24" Dia.	
	Material CMP	Estimated Length 70'	
CONDITION			
61 Channel & Channel Protection Heavy grass vegetation in channel of scour. Slight buildup of silt/sand	el stabilizing the emaban	kment. Minor scour at the inlet with no evic of the pipe.	ence
		General Rating	7
62 Culvert Condition Metal ends pieces on each end a rust in the inverts.	re in good shape. Minor	deflection at CL roadway. 3' of cover. Very	little
		General Rating	/
71 Waterway Adequacy Culvert Opening appears to be su overtopping due to low-lying area		onding at the inlet or outlet. Slight risk of General Rating	6
72 Roadway Alignment Not Considered in this ev	valuation		
Railing Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N		
Hazard Markers		Weight Restriction	
NW	NE NONE	<u></u>	
SW	SE	None	
Recommendations and Miscellaneous Slight deflection at CL roadway w sufficient.		ulverts ability to handle additional loading is	<u>:</u>



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 10' E	East of intersection with Levee 32 Rd
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 16	Shape Circula	ar 24" Dia.
	Material CMP	Estimated Length 70'
PHOTO LOG		

PHOTO LOG

Upstream End Elevation







Downstream End Elevation



Roadway looking West





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 10' E	East of intersection with Levee 32 Rd
IDENTIFICATION	TYPE OF CULVER	RT SIZE
Culvert No. 16	Shape Circular	ar 24" Dia.
	Material CMP	Estimated Length 70'





Downstream Channel





Date 10/24/2019	Inspected	Bv	Cole Shi	ppy	
LOCATION	T '	,			
Roadway Loring Road	■ Approxim	ately 50' West	of Intersec	ction with 142nd St.	
IDENTIFICATION	TYPE OF	CULVERT		SIZE	
Bridge No. SH-60	Shape	Multi-Cell		8'x4' Triple Cell	
-	Material _	RCB		Estimated Length 30'	
CONDITION					
61 Channel & Channel Protection Timber lined channel with expose Large amount of drift in the chan	ed roots at			bends indicating slight ba	nk erosion.
				General Rating	5
62 RCB Condition All cell walls and ceiling have dis Minor spalls in the wingwalls and	•	_	•	no exposed rebar.	
				General Rating	7
71 Waterway Adequacy Heavy silt and drift buildup indica buildup severely reducing flow ca		velocities and	highly like	ely of overtopping roadway General Rating	with silt
72 Roadway Alignment					
Not Considered in this e	valuation				
Railing					
Bridge Railing Transitions Approach Railing Approach Railing Ends	0 1 N 0 1 N 0 1 N 0 1 N				
Hazard Markers	у ш 14			Weight Restriction	
NW	NE	NONE		-	-
SW	SE			None	
Recommendations and Miscellaneou	_				
Drift and sediment serverely limi age and not limiting structural ca	•		•		• • •



Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 50' V	Vest of Intersection with 142nd St.
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. SH-60	Shape Multi-C	ell 8'x4' Triple Cell
	Material RCB	Estimated Length 30'
PHOTO LOG		-

Upstream End Elevation



Looking North



Downstream End Elevation



Looking Downstream east cell





Date 10/24/2019	Inspected By	Cole Shippy
LOCATION	0	
Roadway Loring Road	Approximately 50' V	Vest of Intersection with 142nd St.
IDENTIFICATION	TYPE OF CULVER	T SIZE
Culvert No. SH-60	Shape Multi-C	ell 8'x4' Triple Cell
	Material RCB	Estimated Length 30'
DUOTOLOG		-

PHOTO LOG Channel Upstream



Looking thru south cell



Looking thru middle cell

Channel Downstream





(8) STRUCTURE NO 503001050000005 (1) STATE 20 Kansas (4) CITY Bonner Springs (3) COUNTY Wyandotte

LPA Bridge ID Loring @ Little LPA Bridge Name _ (5A) ROUTE ON/UNDER Route On Structure

LPA Bridge ID	Loring @ Little L	PA Bridge Name	_ (5A) ROUTE ON/UNDER R	oute On Structure
			HBP FUNDING ELIGIBILITY	/ Not Eligible
	IDENTIFICATION		GEOMETRIC DATA	
(5B) ROUTE TYPE		5 City Street	(112) NBIS BRIDGE DEFINITION	Long Enough
(5C) SERVICE TYPE		1 Mainline	(49) STRUCTURE LENGTH	32.6 FT
(5D) ROUTE NUMBER 00387	(5E) SUFFIX	0 N/A (NBI)	(48) MAXIMUM SPAN LENGTH	15.8 FT
(6A) FEATURE INTERSECTED		LITTLE KAW CREEK	(32) ROUTE WIDTH	24.0 FT
(9) LOCATION		0.3 M NORTH OF KREIDER	(51) BRIDGE ROADWAY WIDTH, CURB TO CURB	0.0 FT
(16) LATITUDE		39 ° 01 ' 30.43 "	(52) DECK WIDTH OUT TO OUT	0.0 FT
(17) LONGITUDE		94 ° 53 ' 58.24 "	(50A) LEFT CURB OR SIDEWALK WIDTH	0.0 FT
` '		District 01 - Topeka	• •	
(2) HIGHWAY AGENCY DISTRICT		District 01 - Topeka	(50B) RIGHT CURB OR SIDEWALK WIDTH	0.0 FT
(98A) BORDER BRIDGE STATE		Not Applicable (P)	(34) SKEW	0.0 °
(98B) BORDER BRIDGE RESPONSIBI	LITY	%	(47) ROUTE HORIZONTAL CLEARANCE	44.0 FT
(99) BORDER BRIDGE STRUCTURE N			(10) MIN VERT CLEARANCE OVER ROUTE	99.99 FT
(7) (ROUTE NAME) FACILITY CARRIE		LORING AVE.	(53) MIN VERT CLEARANCE OVER BRIDGE	99.99 FT
(1) (NOUTE NAME) FACILITY CARRIE	D	EOMINO AVE.	(33) MEDIAN	0 No median
			(35) STRUCTURE FLARED	0 No flare
	TIONAL DESCRIPTION		(54A) MIN VERT UNDERCLEARANCE REF	N Feature not hwy or RR
(26) FUNCTIONAL CLASSIFICATION		07 Rural Mjr Collector	(54B) MIN VERT UNDERCLEARANCE	0.00 FT
(104) NHS DESIGNATION		0 Not on NHS	, ,	
(100) STRAHNET DESIGNATION		0 Not a STRAHNET hwy	(55A) MIN LATERAL UNDERCLEAR REF RT	N Feature not hwy or RR
(110) NATIONAL TRUCK NET		0 Not part of natl netwo	(55B) MIN LATERAL UNDERCLEAR RT	0.0 FT
(12) BASE HIGHWAY NET		Not on Base Network	(56) MIN LATERAL UNDERCLEARANCE LEFT	0.0 FT
(13A) LRS INVENTORY ROUTE	(13B) LRS SI	JBRTE#	STRUCTURE AND MATERIALS	
(11) LRS MILE POINT	(10-)-11-1	1.000 MI		2
(105) FEDERAL LANDS HIGHWAY		0 N/A (NBI)	(45) NUMBER OF MAIN SPANS	
(20) TOLL		3 On free road	(43B) MAIN SPAN DESIGN TYPE	19-Culvert
` '	LITV	City/Municipal Hwy Agenc	(43A) MAIN SPAN MATERIAL TYPE	1 Concrete
(21) MAINTAINENANCE RESPONSIBIL	LIIT		KDOT MAIN SPAN MATERIAL TYPE:	1 - 19 : RFB
(22) OWNER		City/Municipal Hwy Agenc	(107) DECK TYPE	N N/A (NBI)
(37) HISTORICAL SIGNIFICANCE		5 Not eligible for NRHP	(108A) DECK SURFACE	N N/A (no deck (NBI)
(101) PARALLEL STRUCTURE		No bridge exists	(108B) MEMBRANE	N N/A (no deck (NBI)
(103) TEMPORARY STRUCTURE		Unknown (NBI)	(108C) DECK PROTECTION	N N/A (no deck (NBI)
			(46) NUMBER OF APPROACH SPANS	0
A	AGE AND SERVICE		(44B) APPROACH SPAN DESIGN TYPE	Unknown (P)
(29) AVERAGE DAILY TRAFFIC		2,020	(44A) APPROACH SPAN MATERIAL TYPE	Unknown (NBI)
(109) AVERAGE DAILY TRUCK TRAFF	FIC	5 %	KDOT APPROACH SPAN MATERIAL TYPE:	
(30) YEAR OF ADT		2018	CONDITION	
(27) YEAR BUILT		1922	(58) DECK CONDITION RATING	N
(106) YEAR REHABILITATED		1976	(59) SUPERSTRUCTURE CONDITION	N
(102) ONE WAY OR TWO WAY TRAFFI	IC	2 2-way traffic	(60) SUBSTRUCTURE CONDITION	N
(42A) SERVICE ON THE BRIDGE		1 Highway	(62) CULVERT CONDITION	6
(42B) SERVICE UNDER THE BRIDGE		5 Waterway	(61) STREAM STABILITY / CHANNEL	5
(28A) LANES ON ROUTE		2	NBI BRIDGE CONDITION (G/F/P)	Fair
(28B) LANES UNDER ROUTE		0		Fall
(19) BYPASS DETOUR LENGTH		1.9 MI	APPRAISAL DEFICIENCY STATUS	Not Deficient
(13) BIT AGG BETGGIT ELIGITI		1.0 1	DEFICIENCY STATUS	
	POSTING		(72) BRIDGE ROUTE ALIGNMENT	8
			(71) WATERWAY ADEQUACY	6
(41) POSTING STATUS		A Open, no restriction	(113) SCOUR VULNERABILITY	3
JUSTIFICATION		N/A	(67) STRUCTURAL EVALUATION	6
TYPE		N/A	(68) DECK WIDTH APPRAISAL	N
STATUS		N/A	(69) HORIZ. UNDERCLEARANCE APPRAISAL	N
R12-1		Grs Wt: N/A	SUFFICIENCY RATING	96.70
R12-5 Sgl Unit: N/		3-Unit: N/A	(36A) BRIDGE RAILS	0
EMERGENCY VEH Sgl Axle: N/	A Tdm Axle: N/A	EV Gross Wt: N/A	(36B) RAIL TRANSITIONS	0
	LOAD DATING		` '	0
(CO) INIVENITORY LOAD "	LOAD RATING	36.0 tons	(36C) APPROACH GUARDRAILS	0
(66) INVENTORY LOAD (tons) or RATII	, ,		(36D) APPROACH GUARDRAIL ENDS	U
(64) MAXIMUM LOAD (tons) or RATING	FACTOR (RF)	60.0 tons	NAVIGATION DATA	Dithi (D
(31) DESIGN LOAD		2 M 13.5 (H 15)	(38) NAVIGABLE WATERWAY	Permit Not Required
(65) INVENTORY LOAD RATING METH	HOD	0 Fld eval & doc (tons)	(39) NAVIGATION VERTICAL CLEARANCE	FT
(63) OPERATING (MAX) LOAD RATING	G METHOD	0 Fld eval & doc (tons)	(40) NAVIGATION HORIZONTAL CLEARANCE	FT
(70) POSTING REQUIREMENTS		5 At/Above Legal Loads	(111) SUBSTRUCTURE NAV PROTECTION	Unknown (NBI)
			(116) MIN NAV VERT CLEAR VERT LIFT BRIDGE	FT
	SCHEDULE		PROPOSED IMPROVEMENTS	
(90) ROUTINE INSPECTION DATE		04/01/2019	(75A) TYPE OF MORY	Not Applicable (P)
(91) ROUTINE INSPECTION FREQUE	NCY	24 MO	(75A) TYPE OF WORK	
(92) CRITICAL FEATURE INSPECTION		(93) INSP DATE	(75B) WORK BY	Unknown (NBI)
A) FRACTURE CRITICAL	N MO	A)	(76) IMPROVEMENT LENGTH	FT
B) UNDERWATER INSP	N MO	B)	(94) BRIDGE COST	
C) SPECIAL INSP	Y 0 MO	C) 05/02/2017	(95) ROADWAY COST	
O) SPECIAL INSP	ı UNIU	0) 03/02/2017	(96) TOTAL COST	
			(97) COST ESTIMATE YEAR	
			(114) FUTURE ADT	1,350
			(115) FUTURE ADT YEAR	2039
			•	

Printed: 1/3/2020 RECORD DATE: 05/29/2019 INSPKEY: RLCH KDOT BLP SIA Sinale WN v9.0 rev.5

(8) STRUCTURE NO LPA Bridge ID 503001050000005 Loring @ Little (1) STATE 20 LPA Bridge Name

20 Kansas

(4) CITY Bonner Springs

(3) COUNTY Wyandotte

(5A) ROUTE ON/UNDER Route On Structure

HBP FUNDING ELIGIBILITY Not Eligible

NOTES

STRUCTURE NOTES

_A Special Inspection and Load Rating was performed as a part of the Multi-year Kansas Local Bridge Rating Program (KDOT Project No. 106 C-4505-16). As a part of the program NBI condition ratings were verified and updated if necessary, load rating data was updated accordingly, and basic NBI data was reviewed. See the Load Rating Report for load rating calculations and special inspection notes.

INSPECTION NOTES

\\DECK:\\NA

\\SUPERSTRUCTURE:\\NA

\\SUBSTRUCTURE:\\NA

ROADWAY NOTES \CULVERT:\RFB in fair condition. North cell has isolated full ht minor vert crks in interior and exterior walls. South cell has isolated full ht minor hairline cracks with exterior wall crks having effl and developing into ceiling with effl. South cell, West half exterior wall has hairline diagonal crking full ht and partial length minor horiz cracks. Ctr wall W end upper half has 4ft long crk with minor spall. Ctr wall E end above btm fillet has 0.125in wide horiz crack partial length. Wingwalls are plumb at end of cells but appear to lean in towards channel at ends. Both NW and SE wingwalls have minor full ht diag cracks.

POSTING NOTES

 Printed:
 1/3/2020
 RECORD DATE: 05/29/2019
 INSPKEY: RLCH
 KDOT BLP SIA Sinale WN v9.0 rev.5

(8) STRUCTURE NO 403001050000004 (1) STATE 20 Kansas (4) CITY Bonner Springs (3) COUNTY Wyandotte

LPA Bridge ID Loring @ Wolf C LPA Bridge Name _ (5A) ROUTE ON/UNDER Route On Structure

		HBP FUNDING ELIGIBILIT	Y Not Eligible
IDENTIFICATION		GEOMETRIC DATA	Ţ
(5B) ROUTE TYPE	5 City Street	(112) NBIS BRIDGE DEFINITION	Long Enough
	1 Mainline	• •	181.5 FT
(5C) SERVICE TYPE		(49) STRUCTURE LENGTH	
(5D) ROUTE NUMBER 00355 (5E) SUFFIX	0 N/A (NBI)	(48) MAXIMUM SPAN LENGTH	61.0 FT
(6A) FEATURE INTERSECTED	WOLF CREEK	(32) ROUTE WIDTH	51.0 FT
(9) LOCATION	BONNER SPRINGS	(51) BRIDGE ROADWAY WIDTH, CURB TO CURB	52.0 FT
(16) LATITUDE	39 ° 02 ' 52.27 "	(52) DECK WIDTH OUT TO OUT	54.0 FT
(17) LONGITUDE	94 ° 53 ' 22.16 "	(50A) LEFT CURB OR SIDEWALK WIDTH	0.0 FT
(2) HIGHWAY AGENCY DISTRICT	District 01 - Topeka	(50B) RIGHT CURB OR SIDEWALK WIDTH	0.0 FT
(98A) BORDER BRIDGE STATE	Not Applicable (P)	(34) SKEW	0.0 °
(98B) BORDER BRIDGE RESPONSIBILITY	%	(47) ROUTE HORIZONTAL CLEARANCE	52.0 FT
(99) BORDER BRIDGE STRUCTURE NO.	70	(10) MIN VERT CLEARANCE OVER ROUTE	99.99 FT
	LORING AVE.	(53) MIN VERT CLEARANCE OVER BRIDGE	99.99 FT
(7) (ROUTE NAME) FACILITY CARRIED	LOINING AVE.	(33) MEDIAN	0 No median
		(35) STRUCTURE FLARED	0 No flare
FUNCTIONAL DESCRIPTION		(54A) MIN VERT UNDERCLEARANCE REF	N Feature not hwy or RR
(26) FUNCTIONAL CLASSIFICATION	17 Urban Collector	(54B) MIN VERT UNDERCLEARANCE	0.00 FT
(104) NHS DESIGNATION	0 Not on NHS	(55A) MIN LATERAL UNDERCLEAR REF RT	N Feature not hwy or RR
(100) STRAHNET DESIGNATION	0 Not a STRAHNET hwy	• •	0.0 FT
(110) NATIONAL TRUCK NET	0 Not part of natl netwo	(55B) MIN LATERAL UNDERCLEAR RT	
(12) BASE HIGHWAY NET	Not on Base Network	(56) MIN LATERAL UNDERCLEARANCE LEFT	0.0 FT
(13A) LRS INVENTORY ROUTE (13B) LRS SU	BRTE#	STRUCTURE AND MATERIALS	
(11) LRS MILE POINT	0.000 MI	(45) NUMBER OF MAIN SPANS	3
(105) FEDERAL LANDS HIGHWAY	0 N/A (NBI)	(43B) MAIN SPAN DESIGN TYPE	04-Tee Beam
(20) TOLL	3 On free road	(43A) MAIN SPAN MATERIAL TYPE	6 P/S Conc Continuous
(21) MAINTAINENANCE RESPONSIBILITY	City/Municipal Hwy Agenc	KDOT MAIN SPAN MATERIAL TYPE:	6 - 04 : PDGC
(22) OWNER	City/Municipal Hwy Agenc	(107) DECK TYPE	1 Concrete-Cast-in-Place
(37) HISTORICAL SIGNIFICANCE	5 Not eligible for NRHP	(108A) DECK SURFACE	1 Monolithic Concrete
(101) PARALLEL STRUCTURE	No bridge exists	(108B) MEMBRANE	0 None
(103) TEMPORARY STRUCTURE	Unknown (NBI)	(108C) DECK PROTECTION	1 Epoxy Coated Reinforci
		(46) NUMBER OF APPROACH SPANS	0
AGE AND SERVICE		(44B) APPROACH SPAN DESIGN TYPE	Unknown (P)
(29) AVERAGE DAILY TRAFFIC	2,020	(44A) APPROACH SPAN MATERIAL TYPE	Unknown (NBI)
(109) AVERAGE DAILY TRUCK TRAFFIC	5 %	KDOT APPROACH SPAN MATERIAL TYPE:	- ()
(30) YEAR OF ADT	2018	CONDITION	
(27) YEAR BUILT	1977	(58) DECK CONDITION RATING	6
(106) YEAR REHABILITATED		(59) SUPERSTRUCTURE CONDITION	7
(102) ONE WAY OR TWO WAY TRAFFIC	2 2-way traffic	(60) SUBSTRUCTURE CONDITION	7
(42A) SERVICE ON THE BRIDGE	1 Highway	(62) CULVERT CONDITION	N
(42B) SERVICE UNDER THE BRIDGE	5 Waterway	(61) STREAM STABILITY / CHANNEL	7
(28A) LANES ON ROUTE	2	NBI BRIDGE CONDITION (G/F/P)	Fair
(28B) LANES UNDER ROUTE	0	APPRAISAL	
(19) BYPASS DETOUR LENGTH	3.7 MI	DEFICIENCY STATUS	Not Deficient
		(72) BRIDGE ROUTE ALIGNMENT	7
POSTING		(71) WATERWAY ADEQUACY	8
(41) POSTING STATUS	A Open, no restriction	(113) SCOUR VULNERABILITY	
HICTIFICATION	\$1/A		8
JUSTIFICATION	N/A	(67) STRUCTURAL EVALUATION	8
TYPE	N/A N/A	(67) STRUCTURAL EVALUATION (68) DECK WIDTH APPRAISAL	
		(68) DECK WIDTH APPRAISAL	4
TYPE	N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL	4 9 N
TYPE STATUS	N/A N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING	4 9 N 74.50
TYPE STATUS R12-1	N/A N/A Grs Wt: N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS	4 9 N 74.50
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A	N/A N/A Grs Wt: N/A 3-Unit: N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS	4 9 N 74.50 0
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING	N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS	4 9 N 74.50 0 0
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF)	N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS	4 9 N 74.50 0
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF)	N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA	4 9 N 74.50 0 0 0
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF) (31) DESIGN LOAD	N/A N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20)	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY	4 9 N 74.50 0 0 0 0
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF)	N/A N/A N/A Srs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20) 1 LF Load Factor (tons)	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY (39) NAVIGATION VERTICAL CLEARANCE	4 9 N 74.50 0 0 0 0 Permit Not Required FT
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF) (31) DESIGN LOAD	N/A N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20)	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY (39) NAVIGATION VERTICAL CLEARANCE (40) NAVIGATION HORIZONTAL CLEARANCE	4 9 N 74.50 0 0 0 0 Permit Not Required FT
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (31) DESIGN LOAD (65) INVENTORY LOAD RATING METHOD	N/A N/A N/A Srs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20) 1 LF Load Factor (tons)	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY (39) NAVIGATION VERTICAL CLEARANCE (40) NAVIGATION HORIZONTAL CLEARANCE (111) SUBSTRUCTURE NAV PROTECTION	4 9 N 74.50 0 0 0 0 Permit Not Required FT FT Unknown (NBI)
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF) (31) DESIGN LOAD (65) INVENTORY LOAD RATING METHOD (63) OPERATING (MAX) LOAD RATING METHOD (70) POSTING REQUIREMENTS	N/A N/A N/A N/A Grs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20) 1 LF Load Factor (tons) 1 LF Load Factor (tons)	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY (39) NAVIGATION VERTICAL CLEARANCE (40) NAVIGATION HORIZONTAL CLEARANCE (111) SUBSTRUCTURE NAV PROTECTION (116) MIN NAV VERT CLEAR VERT LIFT BRIDGE	4 9 N 74.50 0 0 0 0 Permit Not Required FT
TYPE STATUS R12-1 R12-5 Sgl Unit: N/A 2-Unit: N/A EMERGENCY VEH Sgl Axle: N/A Tdm Axle: N/A LOAD RATING (66) INVENTORY LOAD (tons) or RATING FACTOR (RF) (64) MAXIMUM LOAD (tons) or RATING FACTOR (RF) (31) DESIGN LOAD (65) INVENTORY LOAD RATING METHOD (63) OPERATING (MAX) LOAD RATING METHOD (70) POSTING REQUIREMENTS SCHEDULE	N/A N/A N/A N/A Srs Wt: N/A 3-Unit: N/A EV Gross Wt: N/A 18.7 tons 31.2 tons 5 MS 18 (HS 20) 1 LF Load Factor (tons) 1 LF Load Factor (tons) 5 At/Above Legal Loads	(68) DECK WIDTH APPRAISAL (69) HORIZ. UNDERCLEARANCE APPRAISAL SUFFICIENCY RATING (36A) BRIDGE RAILS (36B) RAIL TRANSITIONS (36C) APPROACH GUARDRAILS (36D) APPROACH GUARDRAIL ENDS NAVIGATION DATA (38) NAVIGABLE WATERWAY (39) NAVIGATION VERTICAL CLEARANCE (40) NAVIGATION HORIZONTAL CLEARANCE (111) SUBSTRUCTURE NAV PROTECTION	4 9 N 74.50 0 0 0 0 Permit Not Required FT FT Unknown (NBI)
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 1/3/2020
 RECORD DATE: 05/29/2019
 INSPKEY: FRML
 KDOT BLP SIA Sinale WN v9.0 rev.5

(8) STRUCTURE NO LPA Bridge ID 403001050000004 Loring @ Wolf C (1) STATE 20 LPA Bridge Name

20 Kansas

(4) CITY Bonner Springs

(3) COUNTY Wyandotte
(5A) ROUTE ON/UNDER Route On Structure

HBP FUNDING ELIGIBILITY Not Eligible

NOTES

STRUCTURE NOTES

_A Special Inspection and Load Rating was performed as a part of the Multi-year Kansas Local Bridge Rating Program (KDOT Project No. 106 C-4505-16). As a part of the program NBI condition ratings were verified and updated if necessary, load rating data was updated accordingly, and basic NBI data was reviewed. See the Load Rating Report for load rating calculations and special inspection notes.

INSPECTION NOTES

\\DECK:\\Deck is in fair condition. 20 percent of deck is hollow planed and delaminated as found by chaining. Deck has two areas of spalls w/conc and bitum patching. Deck has hairline mapcrking and partial length minor long crking. Delam is more predominant in East half and evident by effl coming out btwn tee beam top flanges under deck. Many of the corral rail posts have hairline vert cracking, some with staining and one with spalling and exposed rebar. Both E and W soffits have long cracking and delaminations with SE corner worst case.

\\SUPERSTRUCTURE:\\Prestressed concrete single tee beams in good condition. Both N and S ends at abutment beam seats have hairline long cracking starting at tee beam flange to web intersections, running longitudinally for 1ft-4ft and then diagonally into and across top flanges. S end worst case. N span, E bays have long crks with effl in tee beam top flanges.

\\SUPSTRUCTURE:\\Substructure is in good condition. S abut, E corner has spall and S abut E tee beam bay has delam in abut wall btm edge. N abut, E half has minor horiz crk w/effl and active leakage under beam seat. Piers have no visible defects. Both noses of both piers have steel angle iron on noses protecting drift and debris impacts. N pier footing is exposed up to 6 ft but presenting no issues.

ROADWAY NOTES

POSTING NOTES

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 1/3/2020
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 KDOT BLP SIA Single WN v9.0 rev.5



PAVEMENT EXPLORATION REPORT LORING ROAD/158TH STREET HAUL ROAD LEAVENWORTH COUNTY, KANSAS

Prepared For:

KAW VALLEY COMPANIES, INC.

5600 Kansas Avenue Kansas City, Kansas 66106

Prepared By:

KAW VALLEY ENGINEERING, INC.

14700 West 114th Terrace Lenexa, Kansas 66215

November 19, 2019

Project No. C19G0403



November 19, 2019 C19G0403

Mr. Dan Hays Kaw Valley Companies, Inc. 5600 Kansas Avenue Kansas City, Kansas 66106

RE: PAVEMENT EXPLORATION REPORT LORING ROAD/158TH STREET HAUL ROAD LEAVENWORTH COUNTY, KANSAS

Dear Mr. Hays:

Kaw Valley Engineering, Inc. (KVE) was requested by Mr. Dan Hays with Kaw Valley Companies, Inc., to conduct an evaluation of an existing road that is to be used as a haul road for a new sand plant. The services provided were in general accordance with our proposal dated October 23, 2019. Authorization to proceed was provided on October 24, 2019.

The purpose of this study was to define the existing pavement and the subsurface conditions at the proposed haul road and to evaluate the potential impact of the increased traffic loading from the sand plant operations.

EXECUTIVE SUMMARY

The results of the exploration for the proposed haul road service along 158th Street and Loring Road in Leavenworth County are presented in the following sections of this report. Because the road is in good condition structurally and has been properly maintained, KVE thinks that at least 50 percent of the structural capacity of the road remains. Using the field and laboratory data from the exploration, the 1993 AASHTO Design Guide analysis procedures estimate the proposed haul road has a lifetime traffic capacity of between 830,000 and 1,170,000 ESAL before substantial maintenance to rebuild the road would be required. Since the proposed additional traffic load of 524,000 ESAL is equal to, or slightly less than 50 percent of the lifetime capacity of the roadway, it is KVE's opinion that the existing proposed haul road has sufficient remaining life to carry the anticipated sand plant traffic over the next 10 years.

PROJECT AND SITE DESCRIPTION

The proposed Kaw Valley Companies haul road begins at the southern end of 158th Street in the Kansas River floodplain in Leavenworth County and extends north on 158th Street to Loring Road. At Loring Road, the haul road continues eastward until it intersects with the Levee 32 Road/West 2nd Street. The existing pavement type on both 158th Street and Loring Road is primarily an asphalt surfaced roadway with minimal turf shoulders, except for a short aggregate-surfaced portion at the south end of 158th Street. An aerial photograph of the haul route is presented on Plate 1.

The haul road is presently surfaced with a small portion of aggregate surfacing at the southern end of 158th Street and asphalt surfacing over the remainder of the route. Traffic count data indicates 1900 vehicles per day use the potential haul road, with 96.2 percent of the observed traffic being light vehicles and 3.8 percent classified as heavy or commercial vehicles. The potential impact of the addition of up to 80 tandem dual dump trucks and tractor trailer dump trucks due to sand plant traffic will more than double the daily number of heavy vehicles on this portion of 158th Street and Loring Road. These additional trucks are estimated to have a load equivalency of between 1.0 and 2.1, 18-kip Equivalent Single Axle Loads (ESAL) per truck. For the purpose of this report, KVE estimates that the total traffic volume on the haul road will be about 524,000 ESAL over a 10-year analysis period.

REGIONAL AND SITE GEOLOGY

The subgrade soils encountered along the haul road alignment are identified by the Natural Resources Conservation Service as loams, silt loams, clay loams, and silty clays under the Department of Agriculture Classification System. These soils are of alluvial, glacio-fluvial, and residual origin, depending on their location along the roadway. These subgrade soils are identified under the Unified Soil Classification System as lean clays and sandy lean clays. Limestone bedrock is encountered in the subgrade at the eastern end of Loring Road. The bedrock units underlying the haul road are part of the Pennsylvanian Age Lansing and Kansas City Groups.

PAVEMENT AND SUBGRADE SAMPLING

KVE explored the subsurface conditions at the site by drilling and sampling nine locations, identified as B-1 through B-9, on November 7, 2019. The pavement was core drilled at all asphalt-surfaced locations, B-2 through B-9. At locations B-1, B-4, B-6, and B-8, a dynamic cone penetration (DCP) test was conducted and a hand auger was utilized to probe the subgrade to depths between 2.2 and 3.0 feet. The boring locations are presented on Plate 1. Logs of the borings are presented on Plates 2 through 5. The following paragraphs present a general summary of the pavement and subgrade materials encountered during our subsurface exploration and include a discussion of the results of the field and laboratory tests conducted.

The existing aggregate and asphalt surfaced pavements on 158th Street and Loring Road appears to be in fair to good condition and have had maintenance actions performed on it periodically throughout its life.

The aggregate-surfaced portions of 158th Street near Boring B-1 are composed of 4 inches of aggregate surfacing over a compacted soil subgrade. The aggregate surfacing appears to be maintained on a periodic basis and only exhibits minor amounts of rutting.

The asphalt-surfaced pavements appear to be about 70 years old and are composed of multiple layers of chip seals, hot-mixed asphalt, and possibly asphaltic road mix near the base of the asphalt pavement layer. The asphalt surfacing ranges between 3.5 and 8.5 inches in thickness. The asphalt pavement sections on 158th Street are underlain by a 4-inch thick aggregate base and a well-compacted subgrade. The asphalt pavement sections on Loring Road are underlain by 7.5 to 8.5 inches of Portland cement treated base and a well-compacted subgrade. Photographs of the pavement cores from the proposed haul road are presented in Figure 1.

The asphalt pavement in the cores appears to be in relatively good condition. Some evidence of stripping in cores B-3, B-4, B-5, and B-7 was observed. Observation of stripping behavior near the bottom of the cores is not uncommon in older, built-up asphalt pavements.

The existing pavement sections along the proposed haul road are supported by sandy lean clay and lean clay subgrades. The soil samples recovered from the proposed haul road did not show any evidence of lime treatment or other chemical modification of the subgrade soils. The locations of the DCP tests conducted at B-1, B-4, B-6, and B-8 were intended to yield a reasonable estimate of the subgrade strength underneath the pavement along the route. The DCP test results are presented in Appendix A. These results generally show average California Bearing Ratio (CBR) values in the upper 18 inches of the subgrade ranging from 10 to 41. These results are greater than normally encountered in this geographic area. The actual subgrade CBR over most of the project is probably closer to the lowest value measured, so a correlated resilient modulus value of 15,000 pounds per square inch (psi) was utilized to evaluate the subgrade strength.



Figure 1 - Core Photographs

The DCP test and hand auger probe at Boring B-8 refused on limestone at a depth of 2.2 feet. The other three hand auger borings (B-1, B-4, and B-6) penetrated the subgrade to a depth of 3.0 feet below the pavement surface.

Moisture contents for the subgrade samples retrieved from the borings ranged from 14.5 percent to 27.6 percent. Atterberg limits performed on the soil subgrade indicated liquid limits in the range of 27 to 35, plastic limits in the range of 15 to 16, and plasticity indices in the range of 11 to 20. These values indicate the subgrade soils are lean clays (CL) with a corresponding low swell potential. The locations of the borings are presented on Plate 1 and on the boring logs.

Aggregate Base/ Average Asphalt In-Situ Cement Liquid Plastic **Plastic** Pavement **Boring** Treated Subgrade Limit Limit Index Number Thickness Base **CBR** (%)(%)(%)(inches) Thickness (top 18") (inches) 4.0 29 B-1 41 16 13 B-2 8.5 B-3 6.5 B-4 6.5 4.0 10 35 15 20 B-5 5.5 B-6 3.5 8.5 15 32 15 17 B-7 4.8 -B-8 4.5 7.5 40 27 16 11

Table 1 - Pavement Core and Subgrade Data

PAVEMENT EVALUATION

B-9

6.8

The evaluation of the existing pavements on the proposed haul road used the 1993 AASHTO Design Guide procedures for asphalt and aggregate surfaced pavements. Input to the pavement evaluation analysis included the lowest resilient modulus of the subgrade soils of 15,000 psi, a reduced elastic modulus of the 4-inch thick aggregate base of 15,000 psi, and a reduced elastic modulus for the cement treated base of 35,000 psi. The analysis also used standard KDOT design criteria. Since this route is a county secondary road with traffic less than 5,000 vehicles per day, a reliability of 50 percent was assumed. The design serviceability loss was assumed to be 2.2 and the overall standard deviation was assumed to be 0.45.

Even though the proposed haul road is in good condition, it is unknown how much heavy traffic has used the proposed haul road or what the remaining life of the pavement is. However, since the road is in good condition, it is our opinion that the existing pavement has at least 50 percent of its total traffic capacity left. If at least 50 percent of the lifetime capacity remains, the haul road should be able to support the new levels of traffic for at least 10 years.

The Design Guide procedures, using the data from the field and laboratory work, estimated the proposed haul road has a lifetime traffic capacity of between 830,000 and 1,170,000 ESAL before substantial maintenance would be required to rebuild the road. This lifetime capacity estimate was checked and verified using the Asphalt Institute mechanical-empirical design procedures. Since the proposed additional traffic load of 524,000 ESAL is equal to about 50 percent of the lifetime capacity, KVE thinks the existing proposed haul road has sufficient remaining life to carry the anticipated sand plant traffic over the next 10 years.

The Design Guide procedures for aggregate-surfaced roads indicated that the existing 4-inch thick aggregate surfaced section should be sufficient for the additional traffic loading. This is due to the high subgrade strength (CBR=40) at this location. This result was confirmed independently by checking the required 4-inch thickness against the Ausroads aggregate surfaced road design procedure. Since this high subgrade strength is a point estimate, a thicker aggregate layer may be needed in other areas of the roadway farther south of this location. If the future heavy traffic loadings indicate additional aggregate surfacing is required to provide a stable surface, it should be a relatively simple process to add additional aggregate thickness to the road surface.

Routine maintenance on the proposed haul road in the future should consist of a minimum of crack sealing on the asphalt surfaced portions of the road and regrading, reshaping, and possibly adding some additional aggregate to the aggregate surfaced portions of the road on a periodic basis. If heavier maintenance actions are required in the future, development of those procedures would require additional engineering work at that time.

OBSERVATION OF CONSTRUCTION

The conclusions and recommendations given in this report are based on interpretation of field boring and laboratory data coupled with our experience. Variations may occur from conditions observed within test borings; therefore, it is imperative to involve the geotechnical engineer in the final design and construction process.

Field observation services are viewed as a continuation of the design process. Unless these services are provided, the geotechnical engineer will not be responsible for improper use of recommendations, or failure by others to recognize conditions which may be detrimental to the successful completion of the project.

LIMITATIONS

The analyses, conclusions, and recommendations contained in this report are based on the site conditions and project layout described herein and further assume that the conditions observed in the exploratory borings are representative of the subsurface conditions throughout the site, i.e., the subsurface conditions elsewhere on the site are the same as those disclosed by the borings. If, during construction, subsurface conditions different from those encountered in the exploratory borings are observed or appear to be present beneath excavations, we should be advised at once so that we can review these conditions and reconsider our recommendations where necessary.

If there is a substantial lapse in time between the submittal of this report and the start of work at the site, or if conditions or the project layout have changed due to natural causes or construction operations at or adjacent to the site, we recommend that this report be reviewed to determine the applicability of conclusions and recommendations considering the changed conditions and time lapse.

We recommend that we be retained to review the project layout and those portions of plans and specifications which pertain to foundations and earthwork to determine if they are consistent with our findings and recommendations. In addition, we are available to observe construction, particularly site grading, earthwork, and foundation construction. We would be available to make other field observations as may be necessary.

This report was prepared for the exclusive use of the owner, architect, and engineer for evaluating the design of the project as it relates to the geotechnical aspects discussed herein. It should be made available to prospective contractors for information on factual data only and not as a warranty of subsurface conditions included in the report. Unanticipated soil conditions may require that additional expense be made to attain a properly constructed project. Therefore, some contingency fund is recommended to accommodate such potential extra costs.

* * * * * *

The following plates and appendix are attached to and complete this report:

Plate 1 - Boring Location Plan

Plates 2 through 5 - Logs of Borings

Boring Log Reference Legend

Appendix A - DCP Logs

We appreciate the opportunity to be of service to you on this project. Please contact us if you have any questions or comments.

Respectfully submitted,

Kaw Valley Engineering, Inc.

Jeffrey A. Frantzen, Ph. J., P Materials Engineer

essica A. Nixon, P.E.

Geotechnical Engineer



Site Plan and Boring Locations

Plate 1

Haul Road Exploration Loring Road and 158th Street Leavenworth County, Kansas

Approved By: JAF

Not to Scale

Project No. C19G0403





RQD - ROCK QUALITY DESIGNATION

Kaw Valley Engineering, Inc. 14700 W 114th Terrace Lenexa, Kansas 66215 Telephone: (913)894-5150 Fax: (913)894-5977

CLIENT: Kaw Valley Companies, Inc. PROJECT: Haul Road Exploration

C19G0403 **NUMBER:**

Loring Road & North 158th Street Leavenworth County, KS LOCATION:

			гах.	(9	13)0	94-0) 91 1						DATE(S) DRILLED: 11/7/19 - 11/7/19
FIE	ELD	DA	TA						ORY [DATA			DRILLING METHOD(S): Core Drill & Hand Auger DRILL RIG: N/A
DEPTH (FT)	SAMPLES	: BLOWS/FT	T: BLOWS/SIX INCHES T: BLOWS/SIX INCHES REC: %	RECOVERY (IN)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT W	PLASTICITY INDEX	DRY DENSITY POUNDS/CUBIC FT	COMPRESSIVE STRENGTH (POUNDS/SQ FT)	CONFINING PRESSURE (POUNDS/SQ IN)	MINUS NO. 200 SIEVE (%)	DRILL RIG OPERATOR: D. Johnson LOGGED BY: Greg Miller GROUNDWATER INFORMATION: Water level while boring - Dry Water level after boring - Dry SURFACE ELEVATION: 100.0'
,	\o_	/ 20	r i i i i i i	ж	2	LL	PL	PI		0 0	0.6	≥	DESCRIPTION OF STRATUM AGGREGATE SURFACING (4") 99.7'
- 1					25.0								SANDY LEAN CLAY: Brown; stiff; moist to slightly moist; trace limestone fragments
2	- E				15.8	29	16	13					
3	®				18.4								97.0'
4	-		BOR	ING	TE	RMII	NAT	ΈD	AT 3.0	ŗ			
5													
P - PO T - BLO REC -	OKE OWS RO	ET PI S PE CK C	PENET ENETRO R SIX IN ORE RE	ECO/ OME.	TER ES VER\	RESI ′	STA	SIST NCE	ANCE				REMARKS: Surficial conditions - Aggregate surfacing



Kaw Valley Engineering, Inc. 14700 W 114th Terrace Lenexa, Kansas 66215 Telephone: (913)894-5150 Fax: (913)894-5977

P - POCKET PENETROMETER RESISTANCE

T - BLOWS PER SIX INCHES **REC - ROCK CORE RECOVERY RQD - ROCK QUALITY DESIGNATION** CLIENT: Kaw Valley Companies, Inc. PROJECT: Haul Road Exploration

C19G0403 **NUMBER:**

Surficial conditions - Asphalt pavement

Loring Road & North 158th Street Leavenworth County, KS LOCATION:

			J Tax.	()	10,0	, o - (3011						DATE(S) DRILLED: 11/7/19 - 11/7/19
FI	EL	D D	ATA			LA	BOI	RAT	ORY [DATA			DRILLING METHOD(S): Core Drill & Hand Auger
			HES		TENT (%)	ATT L	IMIT		FT	JNDS/SQ FT)	SSURE	200 SIEVE (%)	DRILL RIG: N/A DRILL RIG OPERATOR: D. Johnson LOGGED BY: Greg Miller GROUNDWATER INFORMATION:
ОЕРТН (FT)	SAMPLES	Incress IOWS/FT	P: TONS/SQ FT T: BLOWS/SIX INCHES REC: % RQD: %	RECOVERY (IN)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	DRY DENSITY POUNDS/CUBIC FT	COMPRESSIVE STRENGTH (POUNDS/SQ FT)	CONFINING PRESSURE (POUNDS/SQ IN)	MINUS NO. 200 S	Water level while boring - Dry Water level after boring - Dry SURFACE ELEVATION: 100.0'
DEP	\2	j a	P: TG T: BI REC RQC	REC	MO	LL	PL	PI	DRY	STR	200	M	DESCRIPTION OF STRATUM
													ASPHALT PAVEMENT (6.5")
													99.4
- 1	ē,	7			12.6								AGGREGATE BASE (4") 99.0
'	e.	n,			18.5								LEAN CLAY: Dark brown; stiff; slightly moist to moist; trac limestone fragments
- 2	T												
	la la	3			27.6	35	15	20					
													97.
- 3	Ť												
4	-		BOR	ING	TE	RMI	NAT	ED A	AT 3.0)'			
5	+												
6 -		IDAE	RD PENET	TD ^ -	TION	TES	TPF	CICT	ANCE				DEMADIZO:
			DENETD(MINOE				REMARKS:



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C19G0403 **NUMBER:**

Surficial conditions - Asphalt pavement

Loring Road & North 158th Street Leavenworth County, KS LOCATION:

			rax.	()	10,0	0 + 0	,,,,						DATE(S) DRILLED: 11/7/19 - 11/7/19
F	IEL	D D	ATA			LA	BO	RAT	ORY [DATA			DRILLING METHOD(S): Core Drill & Hand Auger
					T (%)		ERBI IMIT	S		S/SQ FT)	JRE	E (%)	DRILL RIG: N/A DRILL RIG OPERATOR: D. Johnson LOGGED BY: Greg Miller
		l	N: BLOWS/F I P: TONS/SQ FT T: BLOWS/SIX INCHES REC: % RQD: %	(IN)	MOISTURE CONTENT (%)	LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	DRY DENSITY POUNDS/CUBIC FT	COMPRESSIVE STRENGTH (POUNDS/SQ FT)	CONFINING PRESSURE (POUNDS/SQ IN)	. 200 SIEVE (%)	GROUNDWATER INFORMATION: Water level while boring - Dry Water level after boring - Dry
DEPTH (FT)		SAMPLES	BLOWS/ TONS/SC BLOWS/S EC: %	RECOVERY (IN)	OISTURE	LIQUID LIMIT			RY DENS	OMPRES	OUNDS/	MINUS NO.	SURFACE ELEVATION: 100.0'
ă	\rightarrow	\sqrt{s}/\sqrt{z}	<u> </u>	2	Σ	LL	PL	PI	29	0 O	o €	Σ	DESCRIPTION OF STRATUM
													ASPHALT PAVEMENT (3.5") 99.
		-											CEMENT TREATED BASE (8.5")
													99.
1													SANDY LEAN CLAY: Light brown; stiff; moist
		enz.			20.5								
													98.
2		-											SANDY LEAN CLAY: Brown with light brown mottling; stif moist
		000											moist
		٣			26.6	32	15	17					97.
3													
4	-		BOR	ING	TE	RMII	NAT	ED /	AT 3.0)'			
5	-												
			RD PENET						ANCE				REMARKS:



Kaw Valley Engineering, Inc. 14700 W 114th Terrace Lenexa, Kansas 66215 Telephone: (913)894-5150 Fax: (913)894-5977

CLIENT: Kaw Valley Companies, Inc. PROJECT: Haul Road Exploration

C19G0403 **NUMBER:**

Loring Road & North 158th Street Leavenworth County, KS LOCATION:

DATE(S) DDILLED: 11/7/10 11/7/10

					()	, .								DATE(S) DRILLED: 11/7/19 - 11/7/19	
	FIE	LD	DATA				LA	BOI	RAT	ORY [DATA			DRILLING METHOD(S): Core Drill & Hand Auger	
П								ERB	ERG		Ē			DRILL RIG: N/A DRILL RIG OPERATOR: D. Johnson	
						(%)		-IIVII I			SQ I	Щ	(%)	LOGGED BY: Greg Miller	
			S H S			MOISTURE CONTENT (%)		_	PLASTICITY INDEX	 	COMPRESSIVE STRENGTH (POUNDS/SQ FT)	CONFINING PRESSURE (POUNDS/SQ IN)	200 SIEVE (%)	GROUNDWATER INFORMATION:	
			I NC		<u>⊋</u>	INO	ΔH	PLASTIC LIMIT	<u> </u>	DRY DENSITY POUNDS/CUBIC FT	VE Pou	NES (NES	IS 00	Water level while boring - Dry Water level after boring - Dry	
MBO	Ē	S	S/FT SQ F S/SIX		RY (R	ID CI	STIC	TICI	VSIT S/CUI	SSSI TH (NG F S/SC		water lever after buring - Dry	
SOIL SYMBOL	БЕРТН (FT)	SAMPLES	LOW NOONS/	%	RECOVERY (IN)	STU	LIQUID LIMIT	PLA8	PLAS	NDS	MPRE SENG	N N N	MINUS NO.	SURFACE ELEVATION: 100.0'	
SOI	DEF	\S\/	N: BLOWS/FT P: TONS/SQ FT T: BLOWS/SIX INCHES REC: %	g	REC	ΘW	LL	PL	PI	Por	STR	98	N	DESCRIPTION OF STRATUM	
														ASPHALT PAVEMENT (4.5")	99.6'
															99.0
P					-			† -	Ī — —					CEMENT TREATED BASE (7.5")	
4 4															
2 A															99.0'
	- 1	\forall		-+	†			 	 					LEAN CLAY: Light brown; stiff; slightly moist; trace	
		m				14.5	27	16	11					limestone fragments	98.5'
		ens.		T		 17.5								HIGHLY WEATHERED LIMESTONE: Light brown	98.2'
H		H		-+				 	 					 WEATHERED LIMESTONE: Light brown	
	- 2	+1												WEXTHERES EIMESTONE. Eight Slown	97.8'
		\mathbb{H}													
	3														
	3		D	ОВІ	INIC	TE	БМП	NIAT	ED	AT 2.2	,			Auger refusal at 2.2'	
			D	UKI	IING		KIVII	INAI		A1 2.2	•			3	
	4	11													
	5	+													
	6														
	N - STA	ANE	ARD PE	NET	RAT	ION	TES	T RE	SIST	ANCE	·			REMARKS:	
'	T - BLC	SWC	S PER SI	X IN	CHE	S		.517	. 10					Surficial conditions - Asphalt pavement	
			CK CORE					N_							
			_												

BORING LOG REFERENCE LEGEND

DESCRIPTIVE SOIL CLASSIFICATION

Soil description is based on the Unified Soil Classification System as outlined in ASTM Designation D-2487. The Unified Soil Classification group symbol for soil descriptions shown on the boring logs corresponds with the group names listed below. The description includes soil constituents, consistency, relative density, color and any other appropriate descriptive terms. Geologic description of bedrock, when encountered, is also shown in the description column. Refer to the appropriate notes for bedrock classification.

Group Symbol	Group Name	Group Symbol	Group Name	Group Symbol	Group Name	Group Symbol	Group Name
GW	Well graded gravel	SW	Well graded sand	CL	Lean clay	СН	Fat clay
GP	Poorly graded gravel	SP	Poorly graded sand	ML	Silt	МН	Elastic silt
GM	Silty gravel	SM	Silty sand	OL	Organic clay Organic silt	ОН	Organic clay Organic silt
GC	Clayey gravel	SC	Clayey sand			PT	Peat

CONSISTENCY OF FINE-GRAINED SOILS

RELATIVE PROPORTIONS

Unconfined Comp	ressive Strength, Qu, psf	Descriptive Term(s) (Components also	Sand & Gravel Percent of Dry Wt.	Fines Percent of Dry Wt.
< 500	Very Soft	Percent in Sample)	•	•
500 - 1,000	Soft			
1,001 - 2,000	Firm	Trace	< 15	<5
2,001 - 4,000	Stiff	Some	15 - 29	5 - 12
4,001 - 8,000	Very Stiff	Modifier	> 30	> 12
8,001 - 16,000	Hard			
> 16,000	Very Hard			

RELATIVE DENSITY OF COARSE-GRAINED SOILS GRAIN SIZE TERMINOLOGY

	0 - 0		
N - (blows/ft)	Relative Density	Major Component	Size Range
0 - 3	Very Loose	Cobbles	12 in to 3 in
4 - 9	Loose	Gravel	3 in to #4 sieve
10 - 29	Medium Dense	Sand	#4 to #200 sieve
30 - 49	Dense	Silt or Clay	Passing #200 sieve
50+	Very Dense	•	_

Water levels indicated on the boring logs are the levels measured in the borings at the times indicated. In pervious soil the indicated levels may reflect the location of groundwater. In low permeability soils, the accurate determination of groundwater levels is not possible with only short-term observation.

DEFINITIONS OF ABBREVIATIONS

- CR Core recovery, length of core recovered in each run compared to the length drilled expressed as percent
- LL Liquid limit of specimen
- N Number of blows to penetrate last 12 inches with 140-pound hammer in standard penetration test Blow count reported for each 6-inch interval on logs
- PL Plastic limit of specimen
- RQD Rock quality designation, aggregate length of core pieces greater than 4 inches long, expressed as percent of length drilled
- TW Thin walled tube
- SS Standard penetration test
 NQ2 2 inches diameter core
 CFA Continuous flight augers
 HSA Hollow stem augers
 EOB End of boring



A P P E N D I X A DYNAMIC CONE PENETRATION TEST RESULTS

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-1, 158th Street

Depth of zero point below surface :

105

Date:

11/7/2019

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
1	1	1	107	2	2.0	1	2.00	134	
2	2	1	113	6	6.0	1	6.00	39	
3	3	1	117	4	4.0	1	4.00	62	
4	4	1	117	0	0.0	1	0.00	100	
5	5	1	118	1	1.0	1	1.00	100	
6	6	1	123	5	5.0	1	5.00	48	
7	7	1	124	1	1.0	1	1.00	100	
8	8	1	127	3	3.0	1	3.00	85	
9	9	1	131	4	4.0	1	4.00	62	
10	10	1	134	3	3.0	1	3.00	85	
11	11	1	136	2	2.0	1	2.00	100	
12	12	1	140	4	4.0	1	4.00	62	
13	13	1	143	3	3.0	1	3.00	85	
14	14	1	147	4	4.0	1	4.00	62	
15	15	1	152	5	5.0	1	5.00	48	
16	16	1	165	13	13.0	1	13.00	17	
17	17	1	171	6	6.0	1	6.00	39	
18	18	1	175	4	4.0	1	4.00	62	
19	19	1	181	6	6.0	1	6.00	39	
20	20	1	187	6	6.0	1	6.00	39	-Fi
21	21	1	193	6	6.0	1	6.00	39	
22	22	1	197	4	4.0	1	4.00	62	
23	23	1	204	7	7.0	1	7.00	33	
24	24	1	210	6	6.0	1	6.00	39	
25	25	1	216	6	6.0	1	6.00	39	
26	26	1	224	8	8.0	1	8.00	28	
27	27	1	228	4	4.0	1	4.00	62	
28	28	1	235	7	7.0	1	7.00	33	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-1, 158th Street

Depth of zero point below surface: 105

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
29	29	1	243	8	8.0	1	8.00	28	
30	30	1	248	5	5.0	1	5.00	48	
31	31	1	255	7	7.0	1	7.00	33	
32	32	1	260	5	5.0	1	5.00	48	
33	33	1	268	8	8.0	1	8.00	28	
34	34	1	275	7	7.0	1	7.00	33	
35	35	1	282	7	7.0	1	7.00	33	
36	36	1	287	5	5.0	1	5.00	48	
37	37	1	293	6	6.0	1	6.00	39	
38	38	1	302	9	9.0	1	9.00	25	
39	39	1	307	5	5.0	1	5.00	48	
40	40	1	313	6	6.0	1	6.00	39	
41	41	1	322	9	9.0	1	9.00	25	
42	42	1	330	8	8.0	1	8.00	28	
43	43	1	335	5	5.0	1	5.00	48	
44	44	1	343	8	8.0	1	8.00	28	
45	45	1	351	8	8.0	1	8.00	28	
46	46	1	357	6	6.0	1	6.00	39	
47	47	1	366	9	9.0	1	9.00	25	
48	48	1	375	9	9.0	1	9.00	25	
49	49	1	383	8	8.0	1	8.00	28	
50	50	1	393	10	10.0	1	10.00	22	
51	51	1	403	10	10.0	1	10.00	22	
52	52	1	412	9	9.0	1	9.00	25	
53	53	1	422	10	10.0	1	10.00	22	
54	54	1	433	11	11.0	1	11.00	20	
55	55	1	442	9	9.0	1	9.00	25	
56	56	1	455	13	13.0	1	13.00	17	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-1, 158th Street

Depth of zero point below surface: 105

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
57	57	1	465	10	10.0	1	10.00	22	
58	58	1	475	10	10.0	1	10.00	22	
59	59	1	487	12	12.0	1	12.00	18	
60	60	1	494	7	7.0	1	7.00	33	
61	61	1	505	11	11.0	1	11.00	20	
62	62	1	515	10	10.0	1	10.00	22	
63	63	1	523	8	8.0	1	8.00	28	
64	64	1	530	7	7.0	1	7.00	33	
65	65	1	537	7	7.0	1	7.00	33	
66	66	1	542	5	5.0	1	5.00	48	
67	67	1	546	4	4.0	1	4.00	62	
68	68	1	551	5	5.0	1	5.00	48	
69	69	1	555	4	4.0	1	4.00	62	
70	70	1	557	2	2.0	1	2.00	100	
71	71	1	558	1	1.0	1	1.00	100	
72	72	1	563	5	5.0	1	5.00	48	
73	73	1	567	4	4.0	1	4.00	62	
74	74	1	575	8	8.0	1	8.00	28	
75	75	1	578	3	3.0	1	3.00	85	
76	76	1	580	2	2.0	1	2.00	100	
77	77	1	583	3	3.0	1	3.00	85	
78	78	1	587	4	4.0	1	4.00	62	
79	79	1	593	6	6.0	1	6.00	39	
80	80	1	597	4	4.0	1	4.00	62	1
81	81	1	603	6	6.0	1	6.00	39	
82	82	1	607	4	4.0	1	4.00	62	
83	83	1	612	5	5.0	1	5.00	48	
84	84	1	617	5	5.0	1	5.00	48	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-1, 158th Street

Depth of zero point below surface: 105

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
85	85	1	622	5	5.0	1	5.00	48	
86	86	1	628	6	6.0	1	6.00	39	
87	87	1	634	6	6.0	1	6.00	39	
88	88	1	640	6	6.0	1	6.00	39	
89	89	1	646	6	6.0	1	6.00	39	
90	90	1	653	7	7.0	1	7.00	33	
91	91	1	660	7	7.0	1	7.00	33	
92	92	1	665	5	5.0	1	5.00	48	
93	93	1	673	8	8.0	1	8.00	28	
94	94	1	678	5	5.0	1	5.00	48	
95	95	1	686	8	8.0	1	8.00	28	
96	96	1	695	9	9.0	1	9.00	25	
97	97	1	704	9	9.0	1	9.00	25	
98	98	1	713	9	9.0	1	9.00	25	
99	99	1	721	8	8.0	1	8.00	28	
100	100	1	730	9	9.0	1	9.00	25	
101	101	1	738	8	8.0	1	8.00	28	
102	102	1	749	11	11.0	1	11.00	20	
103	103	1	760	11	11.0	1	11.00	20	
104	104	1	773	13	13.0	1	13.00	17	
105	105	1	785	12	12.0	1	12.00	18	
106	106	1	798	13	13.0	1	13.00	17	
107	107	1	812	14	14.0	_ 1	14.00	15	
108	108	1	827	15	15.0	1	15.00	14	
109	109	1	841	14	14.0	1	14.00	15	
110	110	1	856	15	15.0	1	15.00	14	
111	111	1	870	14	14.0	1	14.00	15	
112	112	1	882	12	12.0	1	12.00	18	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-1, 158th Street

Depth of zero point below surface: 105

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
113	113	1	892	10	10.0	1	10.00	22	
114	114	1	904	12	12.0	1	12.00	18	
115	115	1	916	12	12.0	1	12.00	18	
116	116	1	926	10	10.0	1	10.00	22	
117	117	1	936	10	10.0	1	10.00	22	
118	118	1	947	11	11.0	1	11.00	20	
119	119	1	957	10	10.0	1	10.00	22	
120	120	1	970	13	13.0	1	13.00	17	
121	121	1	983	13	13.0	1	13.00	17	
122	122	1	993	10	10.0	1	10.00	22	
123	123	1	1000	7	7.0	1	7.00	33	
124	124	1	1004	4	4.0	1	4.00	62	
125	125	1	1011	7	7.0	1	7.00	33	
126	126	1	1023	12	12.0	1	12.00	18	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-4, 158th Street

Depth of zero point below surface: 81

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
1	1	1	84	3	3.0	1	3.00	85	
2	2	1	87	3	3.0	1	3.00	85	
3	3	1	92	5	5.0	1	5.00	48	
4	4	1	95	3	3.0	1	3.00	85	
5	5	1	99	4	4.0	1	4.00	62	
6	6	1	104	5	5.0	1	5.00	48	
7	7	1	109	5	5.0	1	5.00	48	
8	8	1	114	5	5.0	1	5.00	48	
9	9	1	119	5	5.0	1	5.00	48	
10	10	1	127	8	8.0	1	8.00	28	
11	11	1	134	7	7.0	1	7.00	33	
12	12	1	142	8	8.0	1	8.00	28	
13	13	1	150	8	8.0	1	8.00	28	
14	14	1	161	11	11.0	1	11.00	20	
15	15	1	172	11	11.0	1	11.00	20	
16	16	1	185	13	13.0	1	13.00	17	
17	17	1	203	18	18.0	1	18.00	11	
18	18	1	224	21	21.0	1	21.00	10	
19	19	1	248	24	24.0	1	24.00	8	
20	20	1	274	26	26.0	1	26.00	8	
21	21	1	295	21	21.0	1	21.00	10	
22	22	1	328	33	33.0	1	33.00	6	
23	23	1	351	23	23.0	1	23.00	9	
24	24	1	358	7	7.0	1	7.00	33	
25	25	1	378	20	20.0	1	20.00	10	
26	26	1	400	22	22.0	1	22.00	9	
27	27	1	419	19	19.0	1	19.00	11	
28	28	1	440	21	21.0	1	21.00	10	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-4, 158th Street

Depth of zero point below surface: 81

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
29	29	1	468	28	28.0	1	28.00	7	
30	30	1	495	27	27.0	1	27.00	7	
31	31	1	524	29	29.0	1	29.00	7	
32	32	1	553	29	29.0	1	29.00	7	
33	33	1	580	27	27.0	1	27.00	7	
34	34	1	608	28	28.0	1	28.00	7	
35	35	1	629	21	21.0	1	21.00	10	
36	36	1	647	18	18.0	1	18.00	11	
37	37	1	664	17	17.0	1	17.00	12	
38	38	1	681	17	17.0	1	17.00	12	
39	39	1	698	17	17.0	1	17.00	12	
40	40	1	713	15	15.0	1	15.00	14	
41	41	1	727	14	14.0	1	14.00	15	
42	42	1	740	13	13.0	1	13.00	17	
43	43	1	754	14	14.0	1	14.00	15	
44	44	1	767	13	13.0	1	13.00	17	
45	45	1	781	14	14.0	1	14.00	15	
46	46	1	797	16	16.0	1	16.00	13	
47	47	1	809	12	12.0	1	12.00	18	
48	48	1	817	8	8.0	1	8.00	28	
49	49	1	823	6	6.0	1	6.00	39	
50	50	1	829	6	6.0	1	6.00	39	
51	51	1	838	9	9.0	1	9.00	25	
52	52	1	847	9	9.0	1	9.00	25	
53	53	1	859	12	12.0	1	12.00	18	
54	54	1	866	7	7.0	1	7.00	33	
55	55	1	871	5	5.0	1	5.00	48	
56	56	1	877	6	6.0	1	6.00	39	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-4, 158th Street

Depth of zero point below surface: 81

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
57	57	1	885	8	8.0	1	8.00	28	
58	58	1	895	10	10.0	1	10.00	22	
59	59	1	903	8	8.0	1	8.00	28	
60	60	1	910	7	7.0	1	7.00	33	
61	61	1	924	14	14.0	1	14.00	15	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-6, Loring Road

Depth of zero point below surface: 50

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
1	1	1	64	14	14.0	1	14.00	15	
2	2	1	79	15	15.0	1	15.00	14	
3	3	1	93	14	14.0	1	14.00	15	
4	4	1	108	15	15.0	1	15.00	14	
5	5	1	127	19	19.0	1	19.00	11	
6	6	1	144	17	17.0	1	17.00	12	
7	7	1	163	19	19.0	1	19.00	11	
8	8	1	181	18	18.0	1	18.00	11	
9	9	1	204	23	23.0	1	23.00	9	
10	10	1	224	20	20.0	1	20.00	10	
11	11	1	246	22	22.0	1	22.00	9	
12	12	1	268	22	22.0	1	22.00	9	
13	13	1	288	20	20.0	1	20.00	10	
14	14	1	307	19	19.0	1	19.00	11	
15	15	1	327	20	20.0	1	20.00	10	
16	16	1	349	22	22.0	1	22.00	9	
17	17	1	374	25	25.0	1	25.00	8	
18	18	1	402	28	28.0	1	28.00	7	
19	19	1	420	18	18.0	1	18.00	11	
20	20	1	444	24	24.0	1	24.00	8	
21	21	1	469	25	25.0	1	25.00	8	
22	22	1	495	26	26.0	1	26.00	8	
23	23	1	518	23	23.0	1	23.00	9	
24	24	1	538	20	20.0	1	20.00	10	
25	25	1	554	16	16.0	1	16.00	13	
26	26	1	569	15	15.0	1	15.00	14	
27	27	1	582	13	13.0	1	13.00	17	
28	28	1	598	16	16.0	1	16.00	13	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-6, Loring Road

Depth of zero point below surface: 50

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
29	29	1	618	20	20.0	1	20.00	10	
30	30	1	639	21	21.0	1	21.00	10	
31	31	1	659	20	20.0	1	20.00	10	
32	32	1	680	21	21.0	1	21.00	10	
33	33	1	705	25	25.0	1	25.00	8	
34	34	1	728	23	23.0	1	23.00	9	
35	35	1	749	21	21.0	1	21.00	10	
36	36	1	767	18	18.0	1	18.00	11	
37	37	1	782	15	15.0	1	15.00	14	
38	38	1	787	5	5.0	1	5.00	48	
39	39	1	810	23	23.0	1	23.00	9	
40	40	1	821	11	11.0	1	11.00	20	
41	41	1	838	17	17.0	1	17.00	12	
42	42	1	842	4	4.0	1	4.00	62	
43	43	1	853	11	11.0	1	11.00	20	
44	44	1	860	7	7.0	1	7.00	33	
45	45	1	870	10	10.0	1	10.00	22	
46	46	1	882	12	12.0	1	12.00	18	
47	47	1	891	9	9.0	1	9.00	25	
48	48	1	902	11	11.0	1	11.00	20	
49	49	1	913	11	11.0	1	11.00	20	
50	50	1	925	12	12.0	1	12.00	18	
51	51	1	937	12	12.0	1	12.00	18	
52	52	1	948	11	11.0	1	11.00	20	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-8, Loring Road

Depth of zero point below surface: 23

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
1	1	1	32	9	9.0	1	9.00	25	
2	2	1	36	4	4.0	1	4.00	62	
3	3	1	37	1	1.0	1	1.00	100	
4	4	1	43	6	6.0	1	6.00	39	
5	5	1	44	1	1.0	1	1.00	100	
6	6	1	47	3	3.0	1	3.00	85	
7	7	1	51	4	4.0	1	4.00	62	
8	8	1	53	2	2.0	1	2.00	100	
9	9	1	55	2	2.0	1	2.00	100	
10	10	1	57	2	2.0	1	2.00	100	
11	11	1	62	5	5.0	1	5.00	48	
12	12	1	65	3	3.0	1	3.00	85	
13	13	1	66	1	1.0	1	1.00	100	
14	14	1	67	1	1.0	1	1.00	100	
15	15	1	73	6	6.0	1	6.00	39	
16	16	1	75	2	2.0	1	2.00	100	
17	17	1	77	2	2.0	1	2.00	100	
18	18	1	80	3	3.0	1	3.00	85	
19	19	1	84	4	4.0	1	4.00	62	
20	20	1	87	3	3.0	1	3.00	85	
21	21	1	91	4	4.0	1	4.00	62	
22	22	1	94	3	3.0	1	3.00	85	
23	23	1	97	3	3.0	1	3.00	85	
24	24	1	101	4	4.0	1	4.00	62	
25	25	1	104	3	3.0	1	3.00	85	
26	26	1	107	3	3.0	1	3.00	85	
27	27	1	112	5	5.0	1	5.00	48	
28	28	1	117	5	5.0	1	5.00	48	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-8, Loring Road

Depth of zero point below surface: 23

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
29	29	1	120	3	3.0	1	3.00	85	
30	30	1	124	4	4.0	1	4.00	62	
31	31	1	132	8	8.0	1	8.00	28	
32	32	1	140	8	8.0	1	8.00	28	
33	33	1	148	8	8.0	1	8.00	28	
34	34	1	161	13	13.0	1	13.00	17	
35	35	1	174	13	13.0	1	13.00	17	
36	36	1	193	19	19.0	1	19.00	11	
37	37	1	214	21	21.0	1	21.00	10	
38	38	1	240	26	26.0	1	26.00	8	
39	39	1	253	13	13.0	1	13.00	17	
40	40	1	257	4	4.0	1	4.00	62	
41	41	1	263	6	6.0	1	6.00	39	
42	42	1	265	2	2.0	1	2.00	100	
43	43	1	270	5	5.0	1	5.00	48	
44	44	1	273	3	3.0	1	3.00	85	
45	45	1	275	2	2.0	1	2.00	100	
46	46	1	278	3	3.0	1	3.00	85	
47	47	1	281	3	3.0	1	3.00	85	
48	48	1	283	2	2.0	1	2.00	100	
49	49	1	286	3	3.0	1	3.00	85	
50	50	1	287	1	1.0	1	1.00	100	
51	51	1	289	2	2.0	1	2.00	100	
52	52	1	290	1	1.0	1	1.00	100	
53	53	1	292	2	2.0	1	2.00	100	
54	54	1	293	1	1.0	1	1.00	100	
55	55	1	296	3	3.0	1	3.00	85	
56	56	1	297	1	1.0	1	1.00	100	

Project: Loring Road/158th Street Haul Road Evaluation

Location: B-8, Loring Road

Depth of zero point below surface: 23

#	Cumulative Number of Blows	Number of Blows	Cumulative Penetration (mm)	Penetration Between Readings (mm)	Penetration per Blow (mm)	Hammer Blow Factor	DCP Index mm/blow	CBR %	Moisture %
57	57	1	298	1	1.0	1	1.00	100	
58	58	1	300	2	2.0	1	2.00	100	
59	59	1	302	2	2.0	1	2.00	100	
60	60	1	303	1	1.0	1	1.00	100	
61	61	1	304	1	1.0	1	1.00	100	
62	62	1	305	1	1.0	1	1.00	100	
63	63	1	307	2	2.0	1	2.00	100	
64	64	1	308	1	1.0	1	1.00	100	
65	65	1	309	1	1.0	1	1.00	100	
66	66	1	311	2	2.0	1	2.00	100	
67	67	1	311	0	0.0	1	0.00	100	
68	68	1	311	0	0.0	1	0.00	100	
69	69	1	311	0	0.0	1	0.00	100	
14									

Pavement Exploration Report Review and Responses

1.) The Kaw Valley Engineering Letter states that the road is in good condition. However, we understand the pavements were chip and sealed within the last six months. How was the pavement condition determined (i.e. what criteria did Kaw Valley Engineering use) if the surface was recently sealed?

The procedure used was a visual survey of the pavement condition and an evaluation of the quality of pavement observed in the cores and condition of the cores. For a county road, the route is in very good condition. It is possible the recent chip and seal covered imperfections in the surface. However, the cores appearance indicates the county has expended effort in maintaining the pavement through the use of seal courses or overlays and the condition of the cores was good, in our opinion.

2.) The report states that the roadways have been properly maintained. Were maintenance records provided to Kaw Valley Engineering by the county or is this statement based on visual observations? If based on visual observations, does the recent chip and seal conceal imperfections that could be across the site?

Maintenance records were not provided to Kaw Valley Engineering, Inc. The condition of the pavement is based on our visual survey and a review of the condition of the cores.

3.) The cores were performed outside the wheel paths and near the shoulders. One boring was performed on the shoulder. Does Kaw Valley anticipate the subgrade near the wheel paths to have less strength than what was measured?

It is possible that the subgrade strength in the wheel paths could be lower than the values obtained from the field dynamic cone penetration tests. However, the present condition of the pavement does not indicate any softness or loss of support in the subgrade under the wheel paths. Our procedure was to select and use the lowest field measured subgrade strength to evaluate the strength of the subgrade instead of assigning an arbitrary lower strength that we did not have evidence for.

4.) How did Kaw Valley Engineering determine the age of the pavements?

We used past county maps from KDOT records and the evidence of Portland cement treated base underneath the pavement section on Loring Road to establish an outer limit on the age of the pavement structure. The use of Portland cement treated bases was uncommon prior to World War 2, so this set the maximum age at 70 years.

5.) We understand the DCP was used to correlate a CBR value, however, lab CBR values were not determined. Lab CBR values are based on fully saturated samples. Does Kaw Valley expect the CBR values to be reduced if the soils become saturated from a pothole or a crack in the pavements?

DCP tests measure the present in-situ strength of the subgrade. It is possible that subgrade softening could occur if the overlying pavement structure was disrupted. The in-place strengths observed were considerably greater than normally observed. Our opinion is that subgrade saturation is unlikely based on the present condition of the roadway and the apparent ongoing maintenance efforts of the county.

6.) The pavement thickness varied significantly; what pavement thickness was used in the existing design of the pavements?

The minimum pavement thickness used was taken as 5.5 inches directly on subgrade and the maximum as 6.5 inches on subgrade. Base courses were not included.

7.) What does "Substantial Maintenance" consist of? i.e. mill and overlay, chip and seal, or complete removal and replacement?

Substantial maintenance would involve a mill and overlay of the roadway.

8.) Kaw Valley Engineering reports a lifetime traffic capacity in ESAL's of between 830,000 and 1,170,000. This is a relatively large discrepancy; around 30 percent. If 830,000 is used, the resulting design life of the pavements is reduced significantly. Which value does Kaw Valley recommend? If using 830,000 ESAL's, the additional traffic load of 524,000 ESAL's is around 63 percent and not 50 percent.

The 830,000 ESAL value would be more conservative and would be the number we would recommend.

9.) Does the 524,000 ESAL's for the new truck traffic account for any growth of the sand plant and does it account for the existing traffic as well or did the analysis only include the additional truck traffic?

The 524,00 ESAL value was based on Kaw Valley Company's estimate of the traffic from the sand plant. We have assumed this number includes some growth in production.

10.) The report mentions a reduced elastic modulus of 35 ksi for chemically treated soil, yet the report also mentions that chemically modified subgrade soils were not encountered during the field exploration. Was this elastic modulus added to the design of the pavements?

The 35,000 psi value represents the modulus for the Portland cement treated base sections. It does not represent a cement modified soil modulus and was not used for the subgrade.

11.) A reliability of 50 percent was used in the calculations. 50% is the lowest reliability value available and corresponds to a standard normal devaiate of 0.00. As this road is planned to become a truck route, we would expect a slightly higher reliability (60 to 70 percent) to be more appropriate.

The analysis is based on a 50% reliability. If a 60% reliability is used, this will reduce the predicted traffic capacity by about 25 percent.

12.) The report mentions a load equivalency of 1 to 2.1. Which value was used in the design?

The load equivalency used in the analysis was 1.0

13.) The report uses a change in serviceability of 2.2. How did Kaw Valley Engineering determine the initial serviceability for a road that is 70 years old, as the initial serviceability is determined immediately after new construction? Olsson would expect an initial serviceability of around 3 and a terminal serviceability of around 1.5 to 2. That would put the change in serviceability between 1 and 1.5, significantly less than 2.2.

Our analysis did use a change in terminal serviceability of 2.2. If a value of 1.5 is used, the traffic capacities would be reduced to about 520,000 to 790,000 ESAL, indicating the roadway should still be serviceable during the time the sand plant is in operation, if routine maintenance is performed.



LENAPE SAND QUARRY 166th & LENAPE ROAD LEAVENWORTH COUNTY, KANSAS

GENERAL NOTES

CAROLYN E. SPRING TRUST 425 CRESCENT CIRCLE ALBERT LEA, MN 56007-1482 OWNER:

KAW VALLEY COMPANIES, INC. 5600 KANSAS AVENUE KANSAS CITY, KS 66106 (913) 281-9950 OPERATOR/ DEVELOPER:

ENGINEER: CFS ENGINEERS 1421 E 104TH STREET KANSAS CITY, MO 64131 (816) 333-4477

ENVIRONMENTAL TERRA TECHNOLOGIES
6240 W 135TH STREET, SUITE 100 CONSULTANT:

(913) 385-9560

OVERLAND PARK, KS 66224

TOPOGRAPHIC INFORMATION OBTAINED FROM LEAVENWORTH COUTNY AERIAL LIDAR DATA

EXISTING LAND USE: AGRICULTURAL

PROPOSED LAND USE: SAND EXCAVATION, EXTRACTION AND PROCESSING; AGRICULTURAL.

EXSITNG ZONING: I-3, HEAVY INDUSTRIAL

PROPOSED ZONING: I-3, HEAVY INDUSTRIAL

THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR) PER FEMA FIRM FLOOD MAP FOR LEAVENWORTH COUNTY, KANSAS, AND UNINCORPORATED AREAS, 20103C0425g, PANEL 425 OF 425, DATED JULY 16, 2015.

LEGAL DESCRIPTIONS

NOTE: LEGAL DESCRIPTION TAKEN FROM LEAVENWORTH COUNTY, KANSAS, PROPERTY RECORDS THE W 1/2 OF THE NW 1/4 LYING SOUTH OF THE RAILROAD ROW;

AND A TRACT OF LAND IN THE NE 1/4 BEGINNING AT A POINT 290 FEET (S) N OF THE SW CORNER; THENCE N 850 FEET; THENCE SE 800 FEET; THENCE 310 FEET TO THE POINT OF BEGINNING;

AND THE W 1/2 OF THE NW 1/4 NORTH OF COUNTY ROUTE 2;

ALL LOCATED IN SECTION 22, TOWNSHIP 12 SOUTH, RANGE 22 EAST, OF LEAVENWORTH COUNTY, KANSAS

INDEX OF SHEETS

- COVER SHEET - SITE PLAN - GRADING PLAN

C3 - GRADING PLAN
C4 - EROSION CONTROL PLAN PHASE-I
C5 - EROSION CONTROL PLAN PHASE-II
C6 - RECLAMATION PLAN
C7 - HEC-RAS CROSS-SECTIONS
C8 - HEC-RAS CROSS-SECTION CUTS



LOCATION MAP

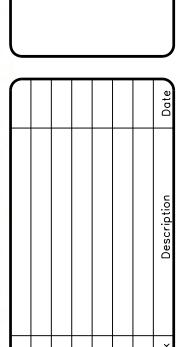
SW QUARTER AND PARTS OF THE NE AND NW QUARTERS OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 22 EAST LEAVENWORTH COUNTY, KANSAS

ENGINEERS

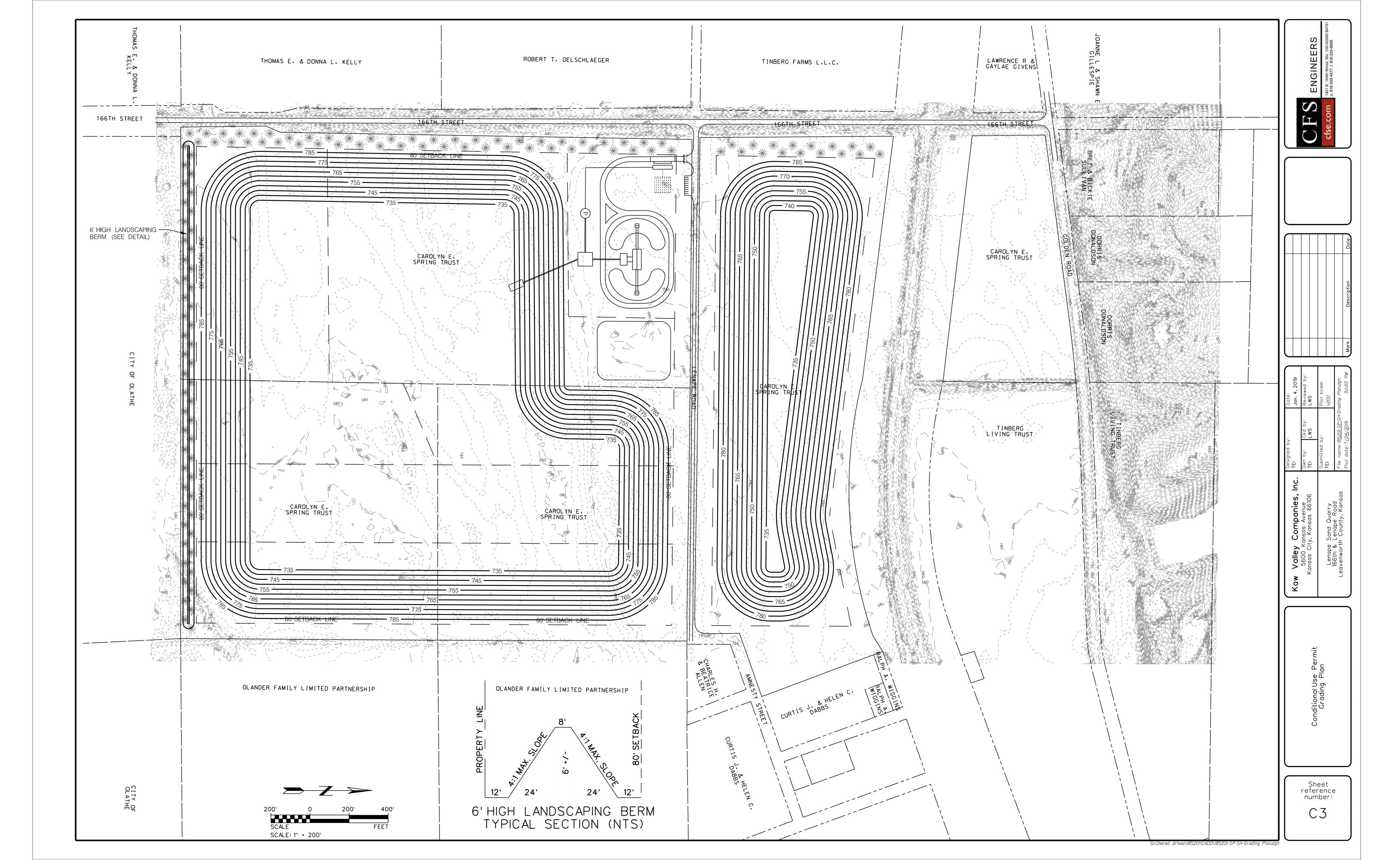
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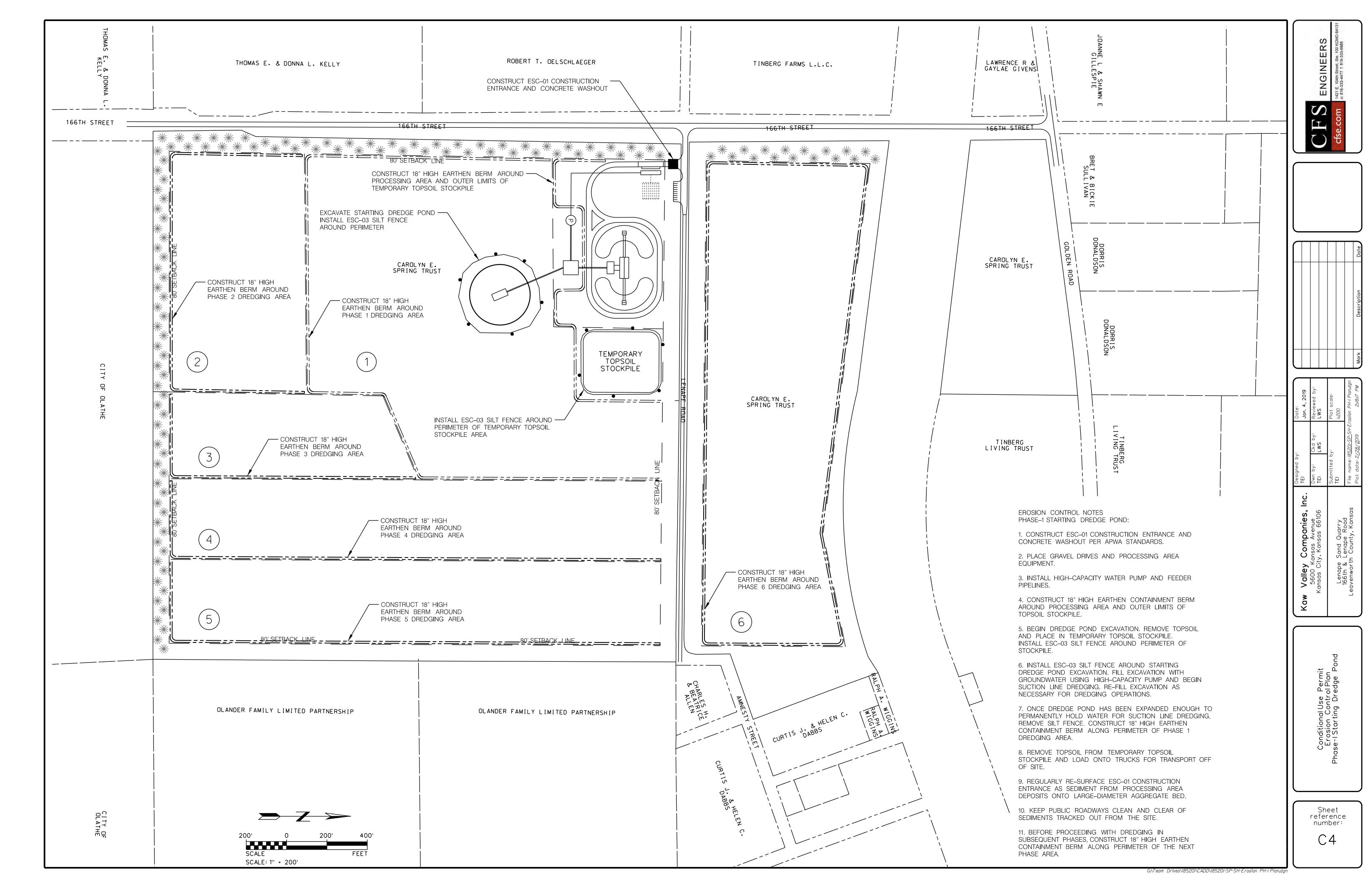
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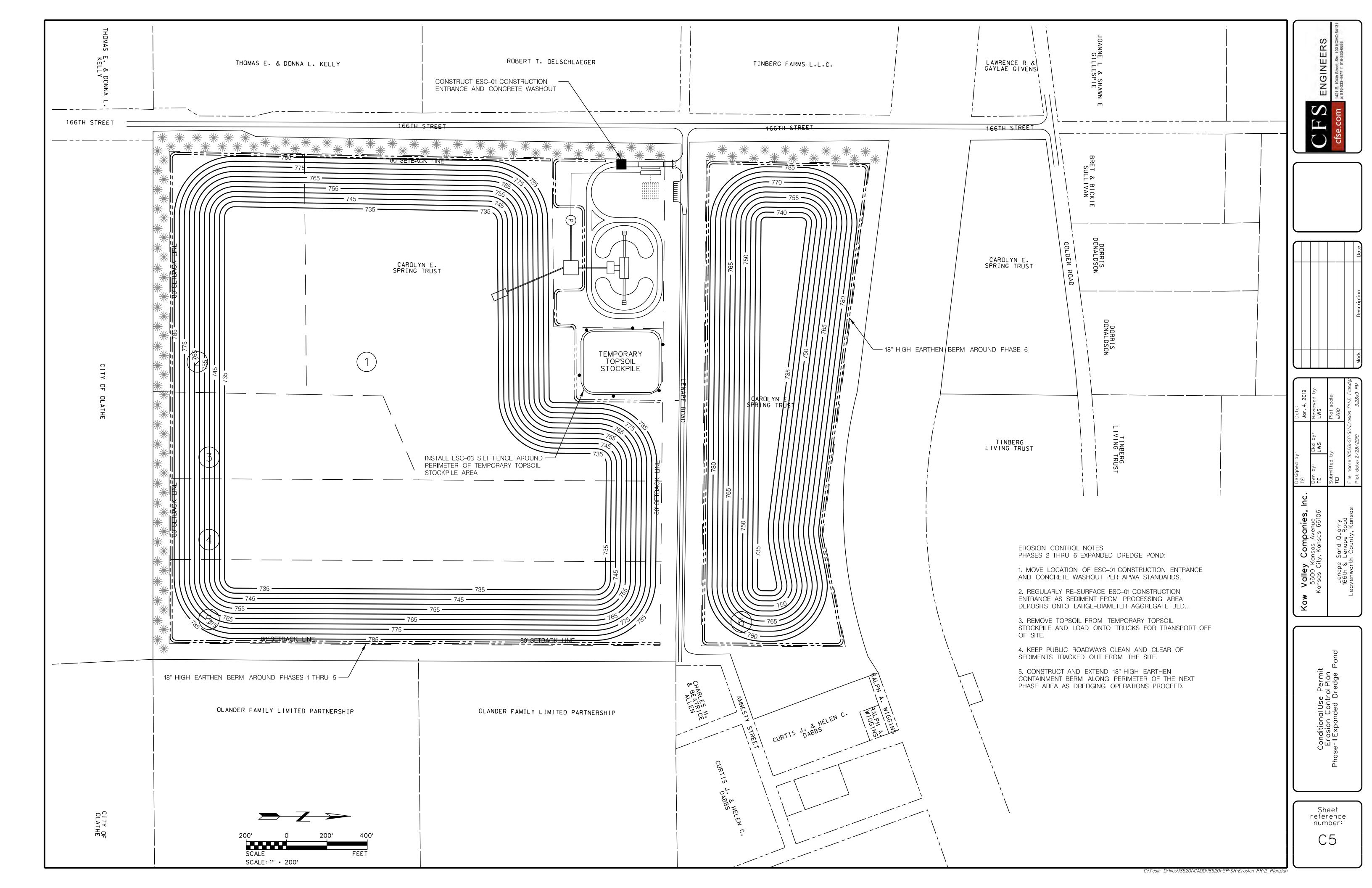


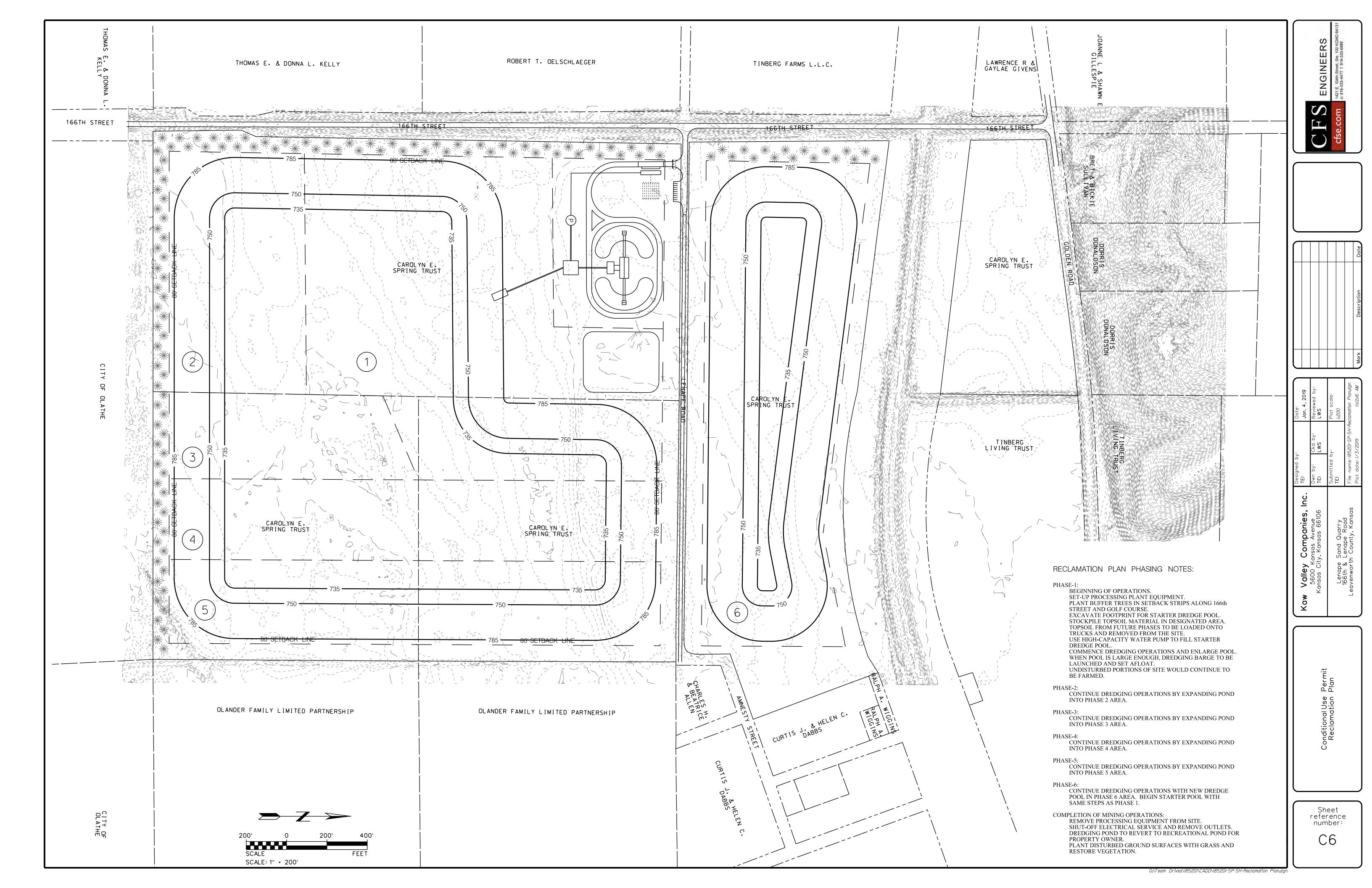


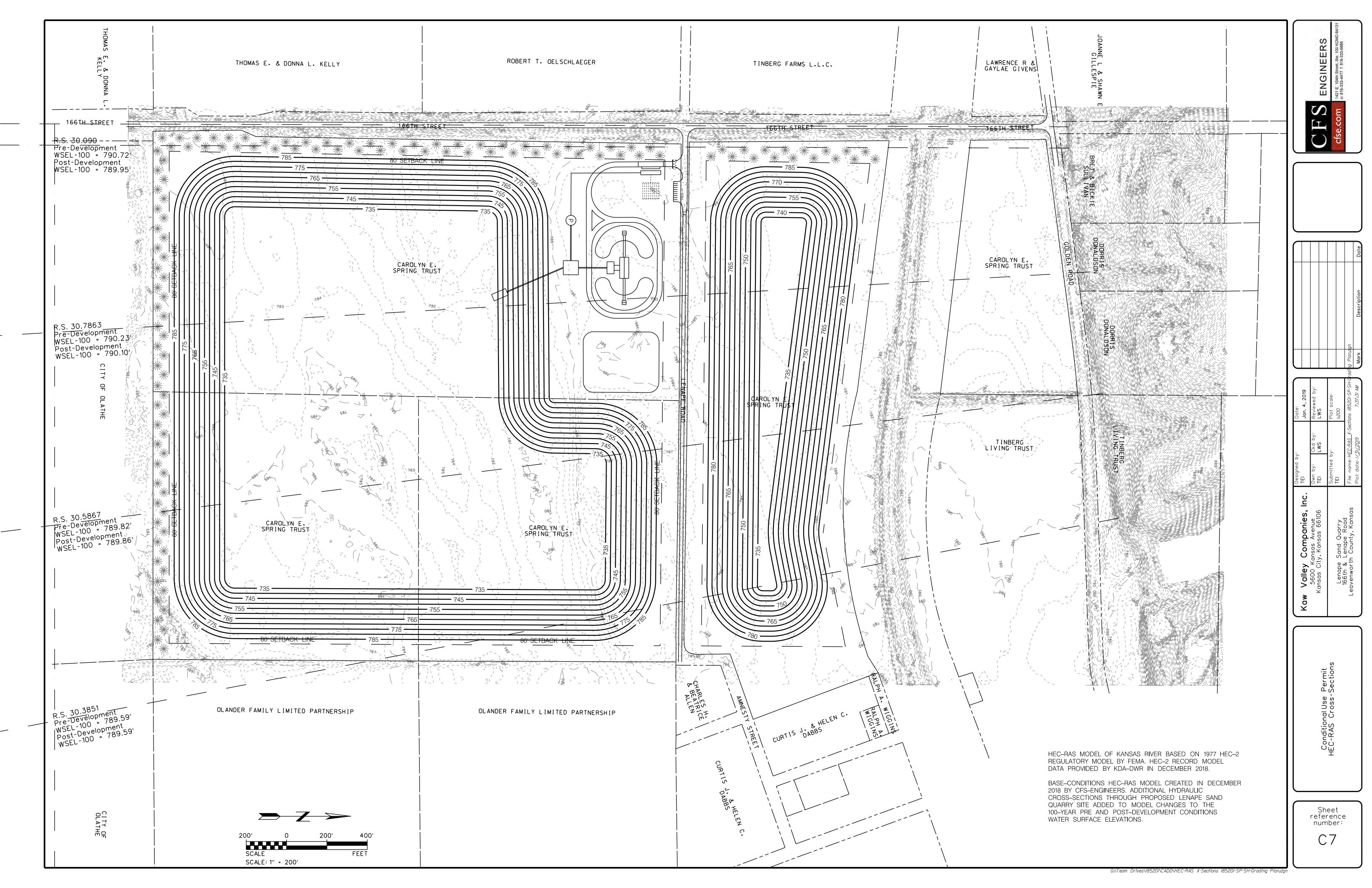
lley Companies, Inc.	TEI		Jan. 4, 2019
,00 Kansas Avenue	Dwn by: Ckd by:	Ckd by:	Reviewed by:
as City, Kansas 66106	TEI LWS	LWS	LWS
anape Sand Quarry	Submitted by: TEI	у:	Plot scale: <i>1:200</i>
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nworth County, Kansas	Plot date: <i>1/_<u>30/_20</u>19</i>	Plot date: <i>1/<u>30/29</u>19</i>	3:41:50 PM

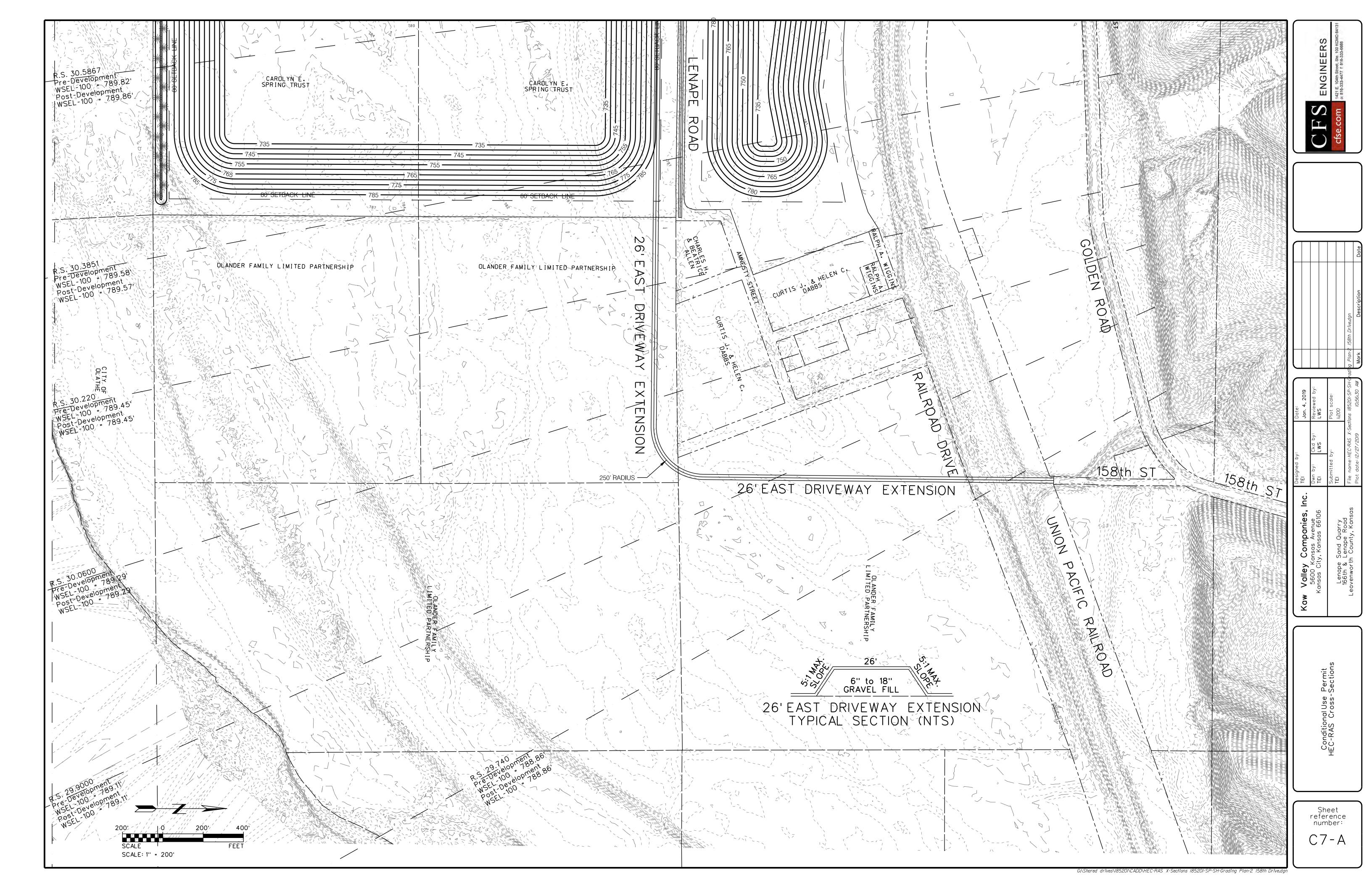


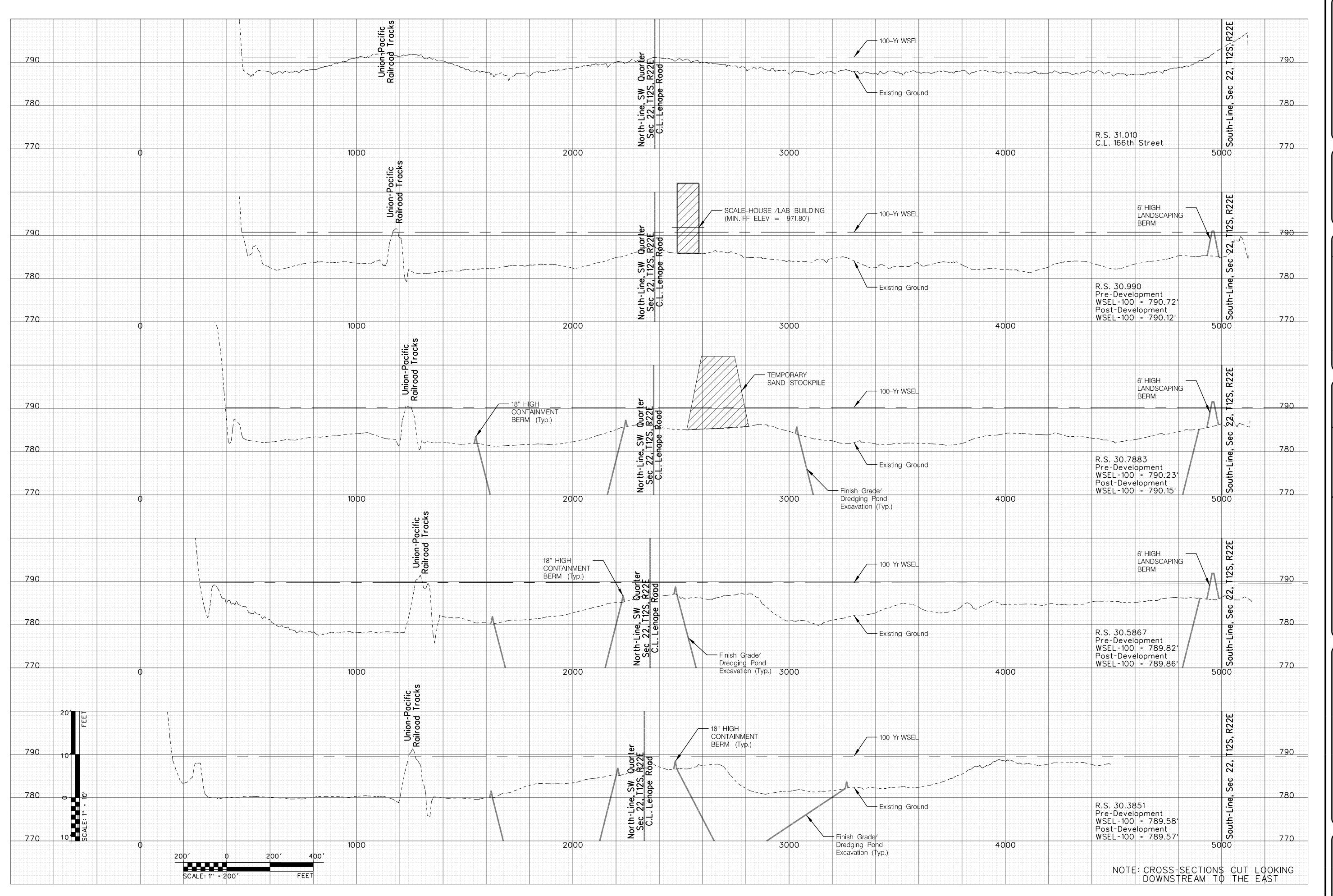












6 by:

CFS

ENGINEERS

Cfse.com

O: 816-333-4477 f: 816-333-6688

Mark

Doscription

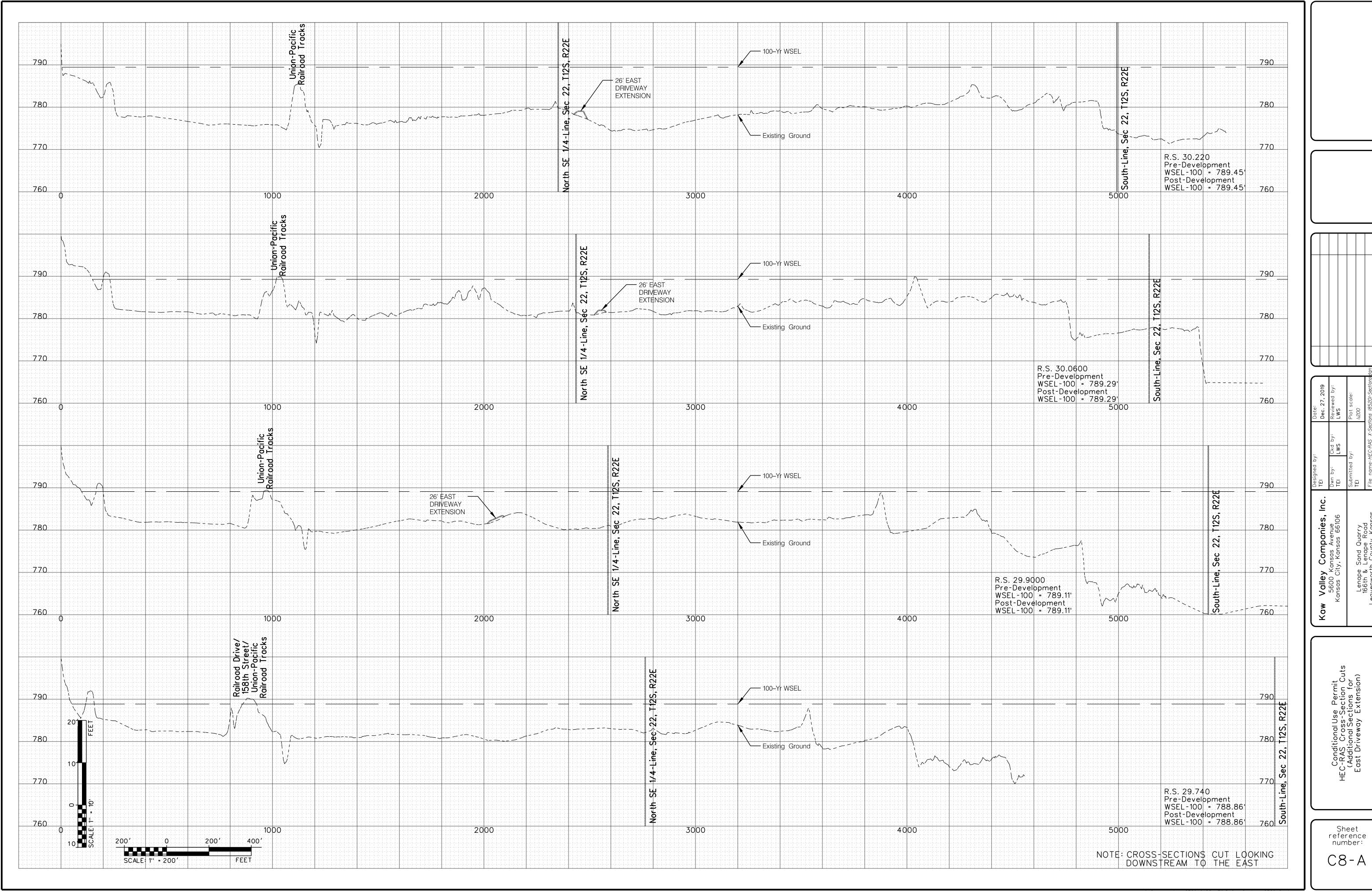
Dote

Kaw Valley Companies, Inc.
5600 Kansas Avenue
Kansas City, Kansas 66106

Lenape Sand Quarry
166th & Lenape Road
Leavenworth County, Kansas
Plot date: 12.227.2019

Conditional Use Permit HEC-RAS Cross-Section Cuts

Sheet reference number:



G:\Shared drives\185201\CADD\HEC-RAS X-Sections 185201-Sections.dgm

Lenape Sand Quarry 166th & Lenape Road avenworth County, Kansa

Conditional Use Permit HEC-RAS Cross-Section Cuts (Additional Sections for East Driveway Extension)

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

December 30, 2019

CAROLYN E. SPRING TRUST 425 CRESCENT CIRCLE ALBERT LEA, MN 56007

Dan Hays Kaw Valley Companies Inc 5600 Kansas Ave Kansas City, KS 66106

Re: Water Structure No.: LLV-0151

Floodplain Fill

Approval of Revised Plans

To Whom It May Concern:

Pursuant to K.S.A. 24-126, the Chief Engineer has approved the revision for the proposed floodplain fill. These revised plans were approved on December 30, 2019, and supersede those previously approved. One copy of the revised plans has been retained by this office.

All conditions of the permit issued on February 26, 2019.

Please note that one of the conditions of the permit requires that you notify this office of completion of the project within 30 days of such completion.

Sincerely,

Janelle Phillips, P.E.

Water Structures Program

(785) 564-6656

pc: Thomas Ingram - CFS Engineers

Krystal Voth - Leavenworth County FPA

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

FEBRUARY 26, 2019

CAROLYN E SPRING TRUST 425 CRESCENT CIRCLE ALBERT LEA MN 56007

Dan Hays Kaw Valley Companies Inc 5600 Kansas Ave Kansas City, KS 66106

Re:

Proj. No.: Lenape Sand Quarry

Floodplain Fill Kansas River

Leavenworth County

WSN: LLV-0151, Notice No.: 2019021

To Whom It May Concern:

Consideration has been given to your application for a permit and approval of plans relating to the placement fill for a sand plant along the Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

In accordance with the provisions of K.S.A. 24-126, the Chief Engineer has approved the plans and issued the enclosed approval of application, authorizing construction of the proposed project. Please note the approval conditions on the reverse side of the approval document. Condition No. 9 requires the owner to notify this office within 30 days after the project is completed. A Notice and Proof of Completion form is enclosed for this purpose. Other special conditions have been added to limit the removal of timber and vegetation, to prohibit the introduction of toxic or deleterious materials into the watercourse, and to require the project meet the floodplain management requirements of the community.

The one set of plans submitted to this office has been endorsed with the Chief Engineer's approval and will be retained in our files. Should you desire any copies of the plans with the Chief Engineer's approval shown thereon, please submit the required number.

Comments about this proposed project were received from several agencies during the environmental review process. Copies of the letters with recommendations from the environmental review agencies are enclosed for your information.

Carolyn E Spring Trust

WSN: LLV-0151, Notice No.: 2019021

Page 2

The work has been authorized to be completed on or before July 1, 2022. Approval for construction of this project will expire on that date unless the time is subsequently specifically extended by the Chief Engineer. Any desired extension of time should be requested in writing approximately 30 days prior to the expiration date.

Sincerely,

Janelle Phillips, P.E.

Water Structures Program

(785) 564-6656

Enclosure

pc: Thomas E Ingram- Cook Flatt & Strobel (CFS) Engineers Pa

Jeff Joseph- Leavenworth County FPA

KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION NO. LLV-0151

K.S.A. 24-126

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, by virtue of the powers and duties imposed by K.S.A. 24-126, hereby issues this approval to Carolyn E Spring Trust and Kaw Valley Companies, Inc., giving his consent to the placement fill for a sand plant along the Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

All work authorized by this approval shall be performed in accordance with the maps, plans, profiles and specifications filed with the application and approved by the Chief Engineer, and in accordance with plans for any changes or modifications subsequently approved by the Chief Engineer subject to the provisions of the aforementioned statute, its regulations and the attached approval conditions.

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APPROVAL CONDITIONS

- 1. This approval grants no water rights nor other property rights, nor does it authorize any injury to private property, invasion of private rights nor impairment of senior water rights, nor does it exempt the applicant from obtaining consent from appropriate federal, state or local government.
- 2. The work shall at all times be subject to supervision and inspection by representatives of the Division of Water Resources.
- 3. No changes in the work, maps, plans, profiles and specifications as approved shall be made except with the written consent of the Chief Engineer.
- 4. Any work authorized by this approval will be maintained in a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
- 5. The clearing of trees, brush, drift and other debris, in order to maintain the work substantially in accordance with the approved plans is hereby authorized, except that the removal of plantings made specifically for habitat or environmental mitigation is not authorized by this approval.
- 6. Any excess material deposited in the stream channel incidental to the construction and maintenance of the project authorized by this approval shall be removed and the channel restored to a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
- 7. All areas disturbed by construction or other exposed soil areas shall be seeded and maintained with a mixture of grass or other vegetation appropriate to the soils, climate and project in order to minimize erosion and protect the project integrity.
- 8. If the work is not completed on or before the 1st day of July, 2022, this approval, if not specifically extended, shall cease and be null and void. If, upon the expiration or revocation of the approval, the work has not been completed, the applicant shall, at his own expense and to such extent and in such time and manner as the Chief Engineer may require, remove all or any portion of the uncompleted work and restore the watercourse to a satisfactory condition. No claim shall be made against the State of Kansas on account of any such removal or alteration.
- 9. Within thirty (30) days after the completion of the work authorized in this approval, the applicant shall file with the Division a statement that the work has been performed in accordance with this approval and the approved maps, plans, profiles and specifications.
- 10. The Chief Engineer reserves the right to require such changes in the maps, plans, profiles and specifications as may be considered necessary. The Chief Engineer further reserves the right to modify, suspend or revoke this approval at any time, should the applicant fail to comply with any of the conditions of this approval or regulations of the Division without sufficient cause or should such action be deemed necessary in the interest of public safety and welfare.
- 11. That the clearing of timber and vegetation is restricted to the absolute minimum required to accomplish the work and not interfere with the beneficial use of project.
- 12. No deleterious or toxic materials shall be introduced into the watercourse or reservoir by runoff, leaching or disposal during or in connection with the work authorized by this permit.

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13. The project must meet the floodplain management requirements of the community.

STATE OF KANSAS DIVISION OF WATER RESOURCES DEPARTMENT OF AGRICULTURE

In the matter of:	Water Structure No. LLV-C Carolyn E Spring Trust/ Ka Floodplain Fill Kansas River Leavenworth County Proj. No.: Lenape Sand Qu NOTICE AND PROOF K.S.A. 24	w Valley Companies arry OF COMPLETION	s Inc.
То:	CHIEF ENGINEER DIVISION OF WATER RESOL KANSAS DEPARTMENT OF A 1320 RESEARCH PARK DR MANHATTAN KS 66502		
for floodplain fill alor of Section 22, Towns that the work accordance with suc	,	tion in the N 1/2 of t , Leavenworth Coun have been rtify that these work	the NW 1/4 of the SW 1/4 aty, Kansas, hereby certify completed as of as have been completed in
I understand t some future date.	hat an end-of-construction in	nspection will be co	nducted by your office at
Dated this	day of	•	20
	Signature:		

Name:

(Please Print)

Address:

Telephone No:



DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT 635 FEDERAL BUILDING 601 E. 12TH STREET KANSAS CITY, MISSOURI 64106-2824

February 14, 2019

Regulatory Branch (NWK-2018-1458)

Mr. David Flick Terra Technologies 6240 West 135th Street, Suite 100 Overland Park, Kansas 66223

Dear Mr. Flick:

This letter is in response to an application you submitted, on behalf of Kaw Valley Companies, requesting a Department of the Army permit. The proposed project involves sand dredging within an identified 155 acre tract of land along the Kansas River. The project site is located in Section 22, Township 12 south, Range 22 east, Leavenworth County, Kansas.

We circulated a public notice describing your activity and received the enclosed comments for your information. In addition to the enclosed comments, we are concerned about the following aspects of your application:

Please furnish a review and comparison of potential alternatives to the proposed work that includes both on-site and off-site locations.

If you choose, you may respond to this letter or to the enclosed comments in one or more ways. You may try to resolve any specific comments by modifying your proposal on your own initiative and notifying us. If you wish to meet with any agency or other commenter, please contact us and we will arrange a meeting. Also, you may rebut or comment to us on any or all of the substantive points in the enclosed comments or furnish justification of the need for your activity. However, we emphasize that you are not assured that a permit would be issued merely because you resolve objections or modify your proposal.

The Corps of Engineers will make the final decision on your application, and we will not issue a permit if issuance would be contrary to the public interest. We will consider the enclosed comments and your response, if any, along with other relevant factors in our determination of the public interest. Finally, you may choose to take no action on the enclosed objections. In that case, we will decide whether to issue the requested permit based on the information in your application, on the public notice comments, and on any other information we have developed about your activity from our own evaluation.

If we issue the permit, it may contain conditions that are necessary to address specific environmental issues or other public interest concerns. Some of those issues may be included in the enclosed comments, and others may be minor issues which are not in the enclosed comments.

In summary, we are forwarding the enclosed comments for your information and you do not have to respond. If you wish to respond in any way for consideration in our final decision, we encourage you to do so. However, we intend to finish processing your application as soon as possible. If you do not reply

within 15 days, we will assume you are declining this opportunity to respond. If you have any questions concerning this matter, please feel free to write or contact me at (816) 389-3703 or by email at brian.t.donahue@usace.army.mil.

Sincerely,

Brian Donahue Project Manager

Enclosures

cc (electronically w/enclosures):

Environmental Protection Agency,
Watershed Planning and Implementation Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife, Parks and Tourism
Kansas Department of Health and Environment
Kansas Department of Agriculture



B'

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Kansas Ecological Services Field Office 2609 Anderson Avenue Manhattan, Kansas 66502-2801

February 11, 2019

Brian Donahue Regulatory Branch U.S. Army Corps of Engineers 601 East 12th Street, Room 402 Kansas City, MO 64106

RE: NWK-2018-1458

FWS Tracking # 2019-CPA-0145

Dear Mr. Donahue:

This letter is in response to your request for review and comment on the proposal for the development of the Lenape Sand Quarry – Leavenworth County, Kansas. Development is proposed to include clearing, grading, excavation, and placement of fill materials into wetlands for the purpose of sand dredging operations on a 223-acre site adjacent to the Kansas River. The site contains 9.6-acres of farmed wetlands. The development proposes impacts to 8.79-acres of the total wetland area.

We have reviewed the permit application pursuant to our authorities under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.); section 404(b) of the Clean Water Act (33 U.S.C 1344); the Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. 703 et seq.); the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.); the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.); and executive orders 11990 (wetland protection) and 11988 (floodplain management); and are consistent with the intent of the National Environmental Policy Act of 1969.

General Comments

Farmed wetlands often provide quality habitat for migratory birds as well as many other wetland dependent species. They can also serve as natural buffers that provide flood attenuation by slowing storm water run-off, filtering sediment and solutes, and thereby reducing erosion by dissipating energy. Our office recommends avoiding fill to these wetlands to the maximum extent possible.

We do however, appreciate the effort made by the applicant to develop sand dredging operations within the floodplain and not in the Kansas River. We also appreciate the applicant's proposed effort to not withdraw or return water to and from the Kansas River

for the operation of this sand quarry. We encourage the applicant to purchase wetland credits from an appropriate mitigation bank, and thereby compensate for unavoidable impacts.

Endangered Species

The northern long-eared bat (Myotis septentrionalis) is protected by the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.) as threatened, and under a 4(d) rule. The 4(d) rule provides flexibility with implementation of the ESA, and allows for limited tree removal projects provided those projects do not occur within 0.25 mile from a known, occupied hibernacula or involve any cutting of known, occupied roost trees during the pup season (June 1 – July 31).

Invasive Species

Invasive species, both aquatic and terrestrial, are a significant factor in the decline of native flora and fauna. Executive order 13112 Section 2 (3) directs Federal agencies to not authorize, fund, or carry out actions that it believes are likely to result in the introduction or spread of invasive species, and to ensure that all reasonable and prudent measures are taken to minimize risk of harm related to their actions. Hazard Analysis and Critical Control Points (HACCP) is a valuable planning tool for invasive species control. These tools are available at http://haccp-nrm.org/. Invasive species of concern in Kansas include the zebra mussel (*Dreissena polymorpha*), Eurasian watermilfoil (*Myriophyllum spicatum*), purple loosestrife (*Lythrum salicaria*), Johnson grass (*Sorghum halepense*), sericea lespedeza (*Lespedeza cuneata*), salt cedar (*Tamarix spp.*), and reed canary grass (*Phalaris arundinacea*).

Additional information on aquatic invasive species in Kansas can be found on KDWPT's website http://www.kdwp.state.ks.us/news/fishing/aquatic_nuisance_species. Human activities are the primary means of invasive species introduction. Prevention of introduction is the most cost-effective option for dealing with invasive species. We strongly encourage the inclusion of BMP's "best management practices" for the prevention of invasive species transfer in all mitigation plans. At minimum the following should be included as a permit condition:

All equipment brought on site should be thoroughly washed to remove dirt, seeds, and plant parts. Any equipment that has been in any body of water within the past 30 days should be thoroughly cleaned with hot water greater 140° F (typically the temperature found at commercial truck washes) and dried for a minimum of five days before being used at this project site. In addition, before transporting equipment from the project site all visible mud, plants and fish/animals should be removed, all water should be eliminated, and the equipment should be thoroughly cleaned. Anything that came in contact with water should be cleaned and dried following the above procedure.

Fish and Wildlife Coordination Act

Brosion controls should be employed if possible, as a vital component of the project to ensure that sediment originating from construction and equipment use does not enter any adjacent tributaries. Sediment barriers should be installed and maintained throughout the life of the

Phillips, Janelle [KDA]

From:

Hofmeier, Jordan [KDWPT]

Sent:

Tuesday, February 05, 2019 4:30 PM

To:

Phillips, Janelle [KDA]

Subject:

KDWPT Review: Lenape Sand Quarry floodplain fill, LV Co. (Track #20181159-3; ECA: 2019021)

Dear Ms. Phillips,

We have reviewed the information for the proposed Lenape Sand Quarry in Leavenworth County, KS (Section 22, Township 12 South, Range 22 East). The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and Kansas Department of Wildlife, Parks, and Tourism managed areas for which this agency has administrative authority.

We appreciate the sponsor developing the sand quarry in the floodplain as opposed to dredging in the Kansas River. We provide the following comments and general recommendations, when applicable:

- Avoid impacts to existing streams and rivers, riparian zones, wetlands, and native prairie and woodland areas.
- Minimize all bank or instream activity, particularly during general fish spawning season (March 1 Aug. 31).
- Incorporate principles of low impact development (LID), such as permeable asphalt pavement, porous concrete, swales, bioretention, or raingardens. More info. on LID: https://www.epa.gov/nps/urban-runoff-low-impact-development
- Implement and maintain standard erosion-control Best-Management-Practices during all aspects of
 construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any
 combination of these) across the entire construction area to prevent sediment and spoil from entering
 aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed
 and vegetation is established. For more information, go to: http://www.kdheks.gov/stormwater/#construct
- Reseed disturbed areas with native warm-season grasses, forbs, and trees.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species or species in need of conservation. No Department of Wildlife, Parks, and Tourism permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits or reviews may be required from other regulatory agencies including but not limited to: Kansas Dept. of Agriculture - Division of Water Resources, Kansas Dept. of Health and Environment, U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, etc. You should verify this yourself.

Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Please direct all review materials electronically to KDWPT.ESS@ks.gov to streamline the review process for all parties.

JH

Jordan Hofmeier

Aquatic Ecologist, Ecological Services Kansas Dept. of Wildlife, Parks, & Tourism 512 SE 25th Ave, Pratt, KS 67124

Office: (620) 672-0798 Cell: (785) 249-0874 Fax: (620) 672-2972 jordan.hofmeier@ks.gov

Donahue, Brian T CIV USARMY CENWK (USA)

From: Hofmeier, Jordan [KDWPT] < Jordan. Hofmeier@KS.GOV>

Sent: Tuesday, February 05, 2019 4:09 PM

To: Donahue, Brian T CIV USARMY CENWK (USA)

Cc:Christopher Thornton; DeLong, Tiffany; Scott Satterthwaite [KDHE]Subject:[Non-DoD Source] KDWPT Review: Lenape Sand Quarry, LV Co. (Track #20181159-2;

NWK-2018-1458)

Dear Mr. Donahue,

We have reviewed the information for the proposed Lenape Sand Quarry on 223 acres in Leavenworth County, KS (Section 22, Township 12 South, Range 22 East). The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and Kansas Department of Wildlife, Parks, and Tourism managed areas for which this agency has administrative authority.

We appreciate the sponsor developing the sand quarry in the floodplain as opposed to dredging in the Kansas River. We provide the following comments and general recommendations, when applicable:

- * Avoid impacts to existing streams and rivers, riparian zones, wetlands, and native prairie and woodland areas.
- * Minimize all bank or instream activity, particularly during general fish spawning season (March 1 Aug. 31).
- * Incorporate principles of low impact development (LID), such as permeable asphalt pavement, porous concrete, swales, bioretention, or raingardens. More info. on LID: <Blockedhttp://www.epa.gov/owow/NPS/lid/>
 Blockedhttps://www.epa.gov/nps/urban-runoff-low-impact-development
- * Implement and maintain standard erosion-control Best-Management-Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information, go to: Blockedhttp://www.kdheks.gov/stormwater/#construct <Blockedhttp://www.kdheks.gov/stormwater/#construct>
- * Reseed disturbed areas with native warm-season grasses, forbs, and trees.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species or species in need of conservation. No Department of Wildlife, Parks, and Tourism permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits or reviews may be required from other regulatory agencies including but not limited to: Kansas Dept. of Agriculture - Division of Water Resources, Kansas Dept. of Health and Environment, U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, etc. You should verify this yourself.

project, as well as any additional applicable BMP's "best management practices".

Good information on BMPs for erosion control can be found at http://www.dot.ca.gov/hq/construc/stormwater/BMP Field Master FullSize Final-Jan03.pdf, and http://www.fws.gov/midwest/fisheries/streamcrossings/BrosionControl.htm, or http://www.kdheks.gov/stormwater/#construct

We recommend revegetation of disturbed areas with native, warm season grasses and shrubs post-construction to further reduce the potential of erosion, and prevent the increased potential of introduction of non-native invasive plant species.

Thank you for the opportunity to comment on this project and please accept this letter as our formal response. If you have any further questions, please contact Chris Thornton in this office (785) 539-3474 Ext. 102.

lason L. Lug.

Jason Luginbill Field Supervisor

cc: EPA, Kansas City, KS (Wetland Protection) – Tiffany Delong – <u>delong.tiffany@epa.gov</u> KDWPT, Pratt, KS (Ecological Services) – Jordan Hofmeier – <u>Jordan.Hofmeier@ks.gov</u> KDHE, Topeka, KS (Bureau of Water) – Scott Satterthwaite – <u>Scott.Satterthwaite@ks.gov</u> Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Please direct all review materials electronically to KDWPT.ESS@ks.gov to streamline the review process for all parties.

JH

Jordan Hofmeier

Aquatic Ecologist, Ecological Services

Kansas Dept. of Wildlife, Parks, & Tourism

512 SE 25th Ave, Pratt, KS 67124

Office: (620) 672-0798

Cell: (785) 249-0874

Fax: (620) 672-2972

jordan.hofmeler@ks.gov



phone: 785-272-8681 fax: 785-272-8682 cultural_resources@kshs.org

Kansas Historical Society

Governor Laura Kelly Jennie Chinn, Executive Director

KSR&C No. 18-10-183

January 25, 2019

Brian Donahue U.S. Army Corps of Engineers Via E-Mail

RE:

Lenape Sand Quarry

Permit No. NWK-2018-1458

Leavenworth County

Dear Mr. Donahue:

The Kansas State Historic Preservation Office has reviewed your public notice and attached documentation regarding the above-referenced project dated January 16, 2019. According to our records, this project area was reviewed (KSR&C No. 18-10-183) and cleared in a letter to John Kahl of Terra Technologies, dated November 21, 2018. Since we see no significant changes in the current documentation, our original clearance can stand. This office continues to have no objection to implementation of the project.

This information is provided at your request to assist you in identifying historic properties, as specified in 36 CFR 800 for Section 106 consultation procedures. If you have questions or need additional information regarding these comments, please contact Tim Weston at 785-272-8681 (ext. 214) or Lauren Jones at 785-272-8681 ext. 225. Please refer to the Kansas Review & Compliance number (KSR&C#) above on all future correspondence relating to this project.

Sincerely,

Jennie Chinn

Executive Director and

State Historic Preservation Officer

atrick Johner

Patrick Zollner

Deputy State Historic Preservation Officer

Donahue, Brian T CIV USARMY CENWK (USA)

From: DeLong, Tiffany <delong.tiffany@epa.gov>
Sent: Thursday, January 31, 2019 2:54 PM

To: Donahue, Brian T CIV USARMY CENWK (USA)

Cc: USEPA Region 7; Hofmeier, Jordan [KDWPT]; Christopher Thornton; Scott Satterthwaite

(scott.satterthwaite@ks.gov); DuPree, Gabriel; Daniels, Jason

Subject: [Non-DoD Source] Kaw Valley permit application NWK-2018-01458

The EPA has reviewed NWK-2018-01458, an application to perform dredging operations on a 223-acre site resulting in the loss of 8.79 wetland acres. The EPA has the following comments regarding this permit application:

The EPA appreciates (1) the applicant considering and choosing an alternative other than dredging inside the adjacent river

(2) the applicant utilizing a well to supply water and returning pumped water to the excavated pit rather than discharging to the adjacent river (3) the avoidance of 0.81 acres of wetland (4) the inclusion of a plan for overburden soils and (5) choosing a location with little to no forested wetlands.

In addition to all of these items the EPA suggests placing the processing facility and any impervious surfaces (like parking lots) in areas with no wetlands to further minimize impacts to the greatest extent practicable.

Thank you for the opportunity to comment on this project, please let me know if you have any questions.

Tiffany DeLong

U.S. Environmental Protection Agency, Region 7

Watershed Planning and Implementation Branch | Wetland and Stream Protection Section

913.551.7729

Phillips, Janelle [KDA]

From: Sent: Kathy Haynes <k.haynes@kcc.ks.gov> Thursday, January 24, 2019 2:55 PM

To:

Phillips, Janelle [KDA]

Subject:

RE: ECA#2019021

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

A review of Conservation Division files failed to indicate any environmental concerns within the acreage described in this application.

In the event unexpected circumstances are encountered during construction, such as the discovery of abandoned oil, gas or exploratory holes or lead lines, the applicant should contact district office at (620) 902-6450, so appropriate regulatory response can be made.

If you have any questions or concerns, please call me at (316) 337-6243.

Kathy Haynes

Department of Environmental Protection and Remediation



Conservation Division
Kansas Corporation Commission
266 N. Main Ste 220 | Wichita, KS | 67202-1513
Phone (316) 337-6243 | Fax (316) 337-6211 | http://kcc.ks.gov/

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From: Phillips, Janelle [KDA] < Janelle. Phillips@ks.gov>

Sent: Thursday, January 24, 2019 2:42 PM

To: Klein, Andrew <a iklein@ksu.edu>; biological survey <b style="color: blue;">biosurvey@ku.edu>; Kathy Haynes < k.haynes@kcc.ks.gov>; Environmental Services, KDWPT [KDWPT] < KDWPT.ess@ks.gov>; KSHS < eca@kshs.org>; KDA SCC Office Assistant < KDA.DOC@ks.gov>; Scott Satterthwaite [KDHE] < Scott.Satterthwaite@ks.gov>

Cc: danh@kvco.net; Tom Ingram < tingram@cfse.com >; JJOSEPH@LEAVENWORTHCOUNTY.ORG; Schemm, Doug [KDA] < Doug.Schemm@ks.gov >; Antonella Cerchi (antonella.i.cerchi@usace.army.mil) < antonella.i.cerchi@usace.army.mil >

Subject: ECA#2019021

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

The Water Projects Environmental Coordination Act, K.S.A. 82a-325 to 327, requires this agency to provide seven other agencies in the state government an opportunity to review and comment on your application for a period of not less than 30 days. The environmental coordination process has been initiated, but a thorough review of your project

may not yet have been performed. You will be informed of any changes that may be necessary to comply with our rules and regulations and any concerns or comments we receive from the environmental coordination agencies.

This letter does not provide any permission to begin the construction of your project. **Construction** can begin only after written approval has been obtained from the Chief Engineer of this agency. If you have any questions or comments please contact this office by writing or calling (785) 564-6656.

Notice No.: 2019021 WS No.: LLV-0151

Date of Notice: 1/24/2019 Expiration Date: 2/23/2019

Project No.: Lenape Sand Quarry – floodplain fill

Along Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

https://agriculture.ks.gov/eca-user-login

https://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits/environmental-coordination-notices

Janelle N. Phillips, P.E., C.F.M., LEED-AP Stream Permit Team Lead Water Structures Program Kansas Department of Agriculture Division of Water Resources 1320 Research Park Drive Manhattan, KS 66502 785-564-6656 janelle.phillips@ks.gov



phone: 785-272-8681 fax: 785-272-8682 cultural_resources@kshs.org

Kansas Historical Society

Sam Brownback, Governor Jennie Chinn, Executive Director

MEMORANDUM

To:

ECA Permit Applicant

From:

Kansas State Historical Society

Bob Hoard, State Archeologist

Re:

Historic and Prehistoric Cultural Resources

Because of time and budget constraints, the Kansas State Historical Society has elected to waive review of permit applications under the Water Projects Environmental Coordination Act (KSA-82a-325 et seq.). However, digging, grading, and other types of construction activities may reveal the presence of buried historic and/or prehistoric archeological sites or artifacts within your project area. If archeological materials are encountered during construction, please contact me at 785-272-8681 ext. 269 or by email at rhoard@kshs.org and do not further disturb the site. If the materials appear to be significant, we may ask for the opportunity to document or salvage the.

In the event human burials or remains are encountered, the Kansas Unmarked Burial Sites Preservation Act (KSA 75-2741 through 75-2754) requires the finder to immediately report these discoveries to the local law enforcement agency. If the remains are not the result of criminal activity, their fate will be determined by the Unmarked Burial Sites Preservation Board. Encountering an unmarked burial does not necessarily stop a project. Discussion with the Board may lead to modification of the project, and in some cases the burial is removed and the project allowed to proceed. Human burials and associated artifacts must not be further disturbed after their discovery, until law enforcement officials or the Unmarked Burial Sites Preservation Board has determined the appropriate action. The Unmarked Burial Sites Preservation Act provides substantial penalties for intentionally disturbing human burials and grave goods, whether located on public or private property. If you find a bone that you suspect may be human, leave it where it is and get expert help to identify it. The county coroner, a medical doctor, or an archeologist can help.

What to Look For

Archeological sites from the historic and prehistoric periods may be buried. Prehistoric sites can be recognized by the presence of discolored earth, bones, stone tools (arrow heads, knives, scrapers), stone flakes (thin, sharp edged pieces of stone produced when making chipped stone tools), burned stones, and pieces of coarse, unglazed pottery. Stone flakes are the most commonly found artifact.

Historic period sites can be recognized by the presence of stone, brick, or concrete foundation walls, or concentrations of these materials. Many of the items used in historic times are similar to those used today. Bottles, cups, tin cans, buckets, hand tools, glass fragments, and other items can be easily recognized. If you are unsure of the significance of what you have found, contact my office.

Thank you for assisting in preserving the archeological heritage of Kansas.

These actions do not constitute compliance with Section 106 of the National Historic Preservation Act. If this project receives federal funding, licensing, permitting or assistance you must contact the State Historic Preservation Office (785-272-8681 ext. 240) prior to construction for a review of the undertaking under federal law.





Kansas Forest Service Policy for Environmental Coordination Act Permits

Under the Water Projects Environmental Coordination Act, the Kansas Forest Service (KFS) is responsible for reviewing permit applications from the Kansas Department of Agriculture, Division of Water Resources to determine if projects adversely affect critical forest resources.

Due to the large volume of permits we are unable to review them all. For this reason we request the Division of Water Resources to share this document with all people applying for ECA

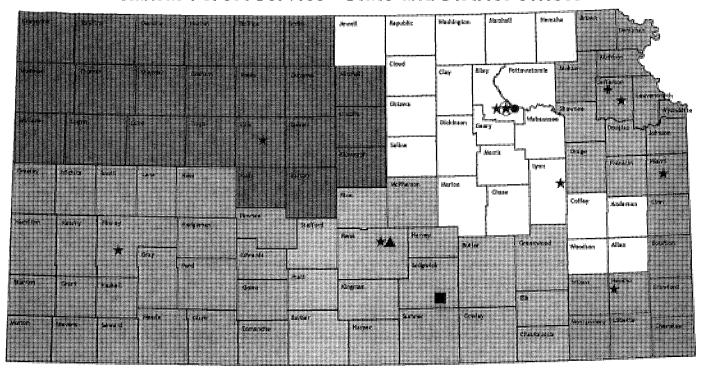
There is 2.2 million acres of forestland in Kansas and a significant percent is riparian forest that borders streams and rivers providing important water quality, soil conservation, wildlife habitat, recreational and wood product benefits to the people of Kansas.

Each year we lose a million acres of forestland to development in the United States (Ralph Alig, USDA FS Pacific NW Research Station). This generally occurs in small patches which often seem insignificant, but collectively degrades our quality of life.

If your project contributes to the conversion of forestland to another land use that exceeds an acre in size, the Kansas Forest Service requests that you consider mitigating the damage by planting at least 435 native trees per acre on a site of similar ecological value.

Kansas Forest Service foresters are available to assist with preparing tree planting plans at no charge and can also advise on financial incentives programs to help cover project expenses. Foresters contact information may be found on the back of this sheet. You are also invited to check out the KFS web site (www.kansasforests.org) for additional information.

Kansas Forest Service - State and District Offices



- STATE OFFICE PERSONNEL: Kansas Forest Service 2610 Claflin Road Manhattan, KS 66502 785-532-3300; Fax: 785-532-3305 Larry Biles - State Forester Bob Atchison - Rural Forestry Coordinator Jarran Tindle - Water Quality Forester Darci Paull - GIS Specialist Mark Haller - Conservation Specialist Ryan Armbrust - Forest Health/Conservation Forester Aaron Yoder - Agricultural Technician Jason Hartman - Fire Protection Specialist Ross Hauck - Fire Management Coordinator Eric Ward - Excess Property Manager Jennifer Williams - Communications Coordinator Annie Cummings - Conservation Program Associate Kylie Rethman - Administrative Specialist Aimee Hawkes - Accountant Bob Duncan - Equipment Mechanic Specialist Terry Fleming - Equipment Mechanic
- ▲ STATEWIDE
 Fire Training Specialist
 Rodney Redinger
 3211 East 4th
 Hutchinson, KS 67501
 620-728-4464
 rodney2@ksu.edu
- ♣ STATEWIDE Marketing and Utilization Forester David Bruton 7760 174th Street Valley Falls, KS 66088 785-945-6147 dbruton@ksu.edu
- STATEWIDE
 Watershed Forester
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 Manhattan, KS 66502
 785-564-6673
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- Rural District Forester Ryan Rastok 700 Jefferson Street Oskaloosa, KS 66066 785-410-0399 rrastok@ksu.edu
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 kdhungel@ksu.edu
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 Hutchinson, KS 67502
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 Hays, KS 67601
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- Community District Forester Kim Bomberger 2610 Claflin Road Manhattan, KS 66502 785-532-3315 kbomberg@ksu.edu
- Community District Forester
 Community Forestry Coordinator
 Tim McDonnell
 1901 E. 95th Street South
 Haysville, KS 67060
 316-788-0492, ext 202
 tmcdonne@ksu.edu



Updated: 9/1/2017



NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities In accordance with the Kansas Water Pollution Control General Permit Under the National Pollutant Discharge Elimination System (NPDES)

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under the Kansas Water Pollution Control general permit, or KDHE issued successor permits, issued for stormwater runoff from construction activities in the State of Kansas. Becoming a permittee obligates the discharger to comply with the terms and conditions of the general permit. Completion of this NOI does not provide automatic coverage under the general permit. Coverage is provided and discharge permitted when the Kansas Department of Health and Environment (KDHE) authorizes the discharge of stormwater runoff from the construction activities identified on the NOI and supporting documentation. A signed and dated copy of the first page of the NOI indicating the Authorization will be provided to the owner or operator, or all three pages for Conditional Authorizations. Upon authorization of the construction activity discharge, a Kansas permit number and a Federal permit number will be assigned to the construction project. A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed (see listing on Page 3 of this NOI). KDHE will notify owners or operators whose Notice of Intent (NOI) and supporting documentation for Authorization of stormwater runoff associated with construction activities are incomplete, deficient, or denied.

Bureau of Water, Industrial Programs Section

1000 SW Jackson, Suite 420

Topeka, KS 66612-1367

Effective August 1, 2017

Please	Frint or Type.						
I. O	WNER OR OPERATOR ADDRESS, BIL	LING, CONTACT & RECO	RDS LO	OCATION IN	FORMATION		
A.	. Owner or Operator's Name: Dan Hays, General Manager		C.	Contact Nam	ne:		
	Company Name: Kaw Valley Companies, Inc			Company Na	me:		
	Owner or Operator's Phone: (913) 281-9950			Contact Phor	ne:		
	Mailing Address: 5600 Kansas Avenue			Mailing Add	ress:		
	City: Kansas City	_ State: KS Zip: 66101		City:		State:	_Zip:
	E-mail Address (optional): danh@kvco.net			E-mail Addre	ess (optional):		
В.	B. Billing Contact Name:		D.	D. Address where records will be kept (if not on-site):			
	Billing Contact Phone:		Records Address:		9.04 W.		
	Billing Address (if different):		City:		1	State:	_ Zip:
	City:	_ State: Zip:					
	E-mail Address (optional):						
A.	ficial Use Only:	Amount Paid: (00.	B.	LEGAL SITE QTR Township: Latitude: 38	E DESCRIPTION: ofQTR of 12	SW QTR Range: 22 ongitude: -	NE □ W
	BUREAU OF WATER	Check No.: 1204	77		Is Authorization	Conditional	? 🗆 Y; 💌 N
Secret	rized by: Le a. Normannian, Kansas Department of Health and Envir			Date 3	(if yes, see page	3 of NOI for	r conditions)
KS Pe	rmit No.: 5-KS12-004	9		Federal Per	mit No.: K51	21144	187
	ompleted 3 page NOI form with original stappropriate submittals (see page 3 of NO	gnature Note: A cop	y of the	permit can be	obtained at: www.k	dheks.gov/s	tormwater
Kansas	Department of Health and Environment	KDHE Cont	tact Info	ormation: *	5 tabilize	distur	bed area.

Phone: (785) 296-5545

with mulch or equivalent in addition to any se stabilizing activities Notice of Intent (NOI) for Discharge of Stormwater Ranoff from Gonsuporton Activities

Phone: (785) 296-5545
E-mail: kdhe.stormwater@ks.gov 'n cluding topsoil stockpiles
Wilder in addition to any seeding Complete

oje	ct Nam	e: Lenape Sand Quarry Notice of In	tent (NOI)
c.	Exis	FING CONDITIONS/USES	
	1)	Is any part of the project located on Indian Country land? If yes: Contact EPA regarding discharging stormwater runoff from industrial activities on Indian Country land.	□ Y; XN
	2)	If stormwater runoff drains to or through a Municipal Separate Storm Sewer System (MS4): MS4 Name:	
	3)	Name of the first receiving water, stream, or lake: Kansas River , River Basin: Kansas River	
	4)	Are contaminated soils present on the site or is there groundwater contamination located within the site boundary? If yes: On separate paper describe in detail the locations and concentrations of the contaminants.	□ Y; N N
	5)	Are there any contaminated soils that will be disturbed or any contaminated groundwater that will be pumped by the proposed construction activity? If yes: On separate paper describe the special procedures and erosion and sediment control measures to be implemented to eliminate or minimize the potential to discharge the soil and/or groundwater contaminants.	□Y; XN
	6)	Are there any surface water intakes for public drinking water supplies located within ½ mile of the site discharge points?	UY; NN
	7)	Are there any known historical or archeological sites present within the site boundary or any historic structures located within 1000 feet of the project site? Note: Include documentation of project-specific coordination with the Kansas Historical Society in making this determination.	□ Y; M N
	8)	Is any threatened or endangered species habitat located within the site boundary or in the receiving water body? Note: Include documentation of project-specific coordination with the Kansas Department of Wildlife, Parks & Tourism in making this determination.	□ Y; XN
	9)	Will the project impact the line or grade of a stream or does it include dredge or fill of a potential jurisdictional water body or wetlands? If yes: Include documentation of project-specific coordination with the US Army Corps of Engineers and/or the Kansas Department of Agriculture, Division of Water Resources in making this determination.	□Y; X N
	10)	Are any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding National Resource Waters located within ½ mile of the facility boundary?	□Y;XN
		If yes: List the names of all such areas and waters: Kansas River located 1/4 south of proposed sand quarry.	
D.	PROJ	ECT DESCRIPTION	
	1)	Project Description: 208.6 acre open-pit sand dredging quarry located at the southeast corner of 166th &	Lenape
		Road in southern Leavenworth County, Kansas.	
	2)	Does this NOI include all proposed soil disturbing activities associated with the entire common plan of development?	MY; DN
		If no: Explain what development areas of the site are not included in this NOI and provide contact information, if available, for the party or parties that own or have operational control of these areas:	A.,
		The site would have a 146 acre open lake for dredging sand deposits, which would also serve as a	
		sediment basin for the site. Upon completion of mining activities, the lake would remain for recrea	ition.
	3)	Anticipated project Start Date: August 2019 , and Completion Date: August 2049	
	4)	Estimated total area to be disturbed: 208.6 Acres Total area of the site: 224 Acres	
	5)	Do you plan to disturb ten or more acres that are within a common drainage area?	XY; DN
		If yes: Will a sedimentation basin be installed in that drainage area? (Attach design calculations for each sedimentation basin.) If a sediment basin is not feasible, on a separate sheet describe similarly effective erosion and sediment control measures to be implemented in lieu of a sedimentation basin.	□ Y; □ N
E.	Мар	S .	
	100	kala samana kanaka dan tahun 12 kamana dan masa 12 kamana tahun kalama dan matahun madaka manaka matahun 12 ka	1.0

Include an area map showing the outline of the construction site and the topographic features of the area at least one mile beyond the project site.

EROSION CONTROL PLAN AND BEST MANAGEMENT PRACTICES

- Provide a summary of the sequence of major soil disturbing activities including installation of the corresponding stormwater management and 1) pollution control features.
- Provide one or more site plans covering the anticipated soil disturbing activities showing the limits of disturbance, the existing and proposed elevation contours, the types and locations of erosion/sediment control measures and stormwater management/pollution control features during each phase of construction and the locations where stormwater runoff leaves the construction site.

Project N	Name: Lenape Sand Quarry	The second second second	Notice of Intent (NOI)			
3	Provide a description of the best management practices to be utilized to control erosion and the discharge of sediment and other pollutants in stormwater runoff throughout construction and the design calculations for each sediment basin including total drainage area and storage capacity below the elevation of the mass volume flow outlet device.					
4	Provide the name and License or Certification Number of the engineer, geologist, architect, landscape architect, or Certified Professional Erosion and Sediment Control (CPESC) under which the construction stormwater pollution prevention plan has been developed.					
	Thomas E. Ingram, PE	KS PE 11261	Civil Engineer			
	Name	License or Certification Number	Profession or Field (Engineer, Architect, etc.)			
III. AN	NUAL FEE					
	"KDHE". Per K.A.R. 28-16-56, as amende	nnual permit fee specified in K.A.R. 28-16-56 et ed, the current annual permit fee for this general ing a permit until such time as the permittee submits	I permit is \$60. An invoice for the annual permit			
	Failure to pay the annual fee will result in terr	mination of the construction stormwater discharge A	Authorization.			
IV.	OWNER OR OPERATOR CERTIFICAT	IONS				
	I, the undersigned, certify that a Stormwater Pollution Prevention Plan (SWP2 Plan) will be or has been developed for the construction site described in this NOI and supporting documentation. I further certify that the plan will be implemented at the time construction begins, and, as required by the NPDES general permit for Stormwater Runoff from Construction Activity, will revise the SWP2 plan if necessary.					
	I understand that continued coverage under the NPDES general permit for Stormwater Runoff from Construction Activities is contingent upon maintaining eligibility as provided for in the requirements and conditions of the general permit, and paying the annual fee.					
	designed to assure that qualified personnel pr	ent and all attachments were prepared under my dire roperly gather and evaluate the information submitte directly responsible for gathering the information, mplete. I am aware that there are significant penaltic	ed. Based on my inquiry of the person or persons the information submitted is, to the best of my			
	10 100		شاه في الم			
	Signature (owner opperator)	Date	6-2019			
	~ '- 1/	/				
	Name and Official Title (Please print or type. Form with original signature must be sent to KDHE.)					
Conditi	ons of Authorization - For Official Use Only:					
2.3.4.1.1	ndicated, Conditions of Authorization are as follows	Name of the last o				
	} 					

A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed. A complete request for Authorization includes:

- · An NOI form (construction stormwater) with an original authorized signature;
- The annual permit fee for the first year; (\$60.)
- An area map showing the outline of the construction site and the general topographic features of the area at least one mile beyond the project site boundary;
- · Sequence of major soil disturbing activities including installation of stormwater management and pollution control features;
- A detailed site plan/plans showing the limits of disturbance, existing and proposed contours, erosion and sediment control features, locations where stormwater runoff leaves the construction site;
- A narrative summary of the additional erosion and sediment control and other best management practices that will be utilized to prevent
 or reduce contamination of stormwater runoff from the construction activities;
- · Total drainage area, storage capacity and design calculations for each sedimentation basin; and
- Copies of letters or e-mails documenting coordination with appropriate local, state or federal agencies.



KAW VALLEY SAND & GRAVEL

Lenape Sand Quarry 166th & Lenape Road Southern Leavenworth County, Kansas CFS Project No. 18-5201

SWPPP - Stormwater Pollution Prevention Plan

May 14, 2019

Prepared for:
Kaw Valley Companies, Inc.
Attn: Dan Hays, General Manager - Sand Division
5600 Kansas Avenue
Kansas City, Kansas 66106
913.281.9950



Prepared by:
Cook, Flatt & Strobel Engineers, P.A.
1421 E. 104th Street, Suite 100
Kansas City, Missouri 64131
816.333.4477



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- K. Noti e of Terminato n



1.0 INTRODUCTION

Thin Stormwater Pollut on Prevent on Plan (SWPPP) han been prepared for the Kaw Valley Sand and Gravel Company'n Lenape Sand Quarry, loi ated at the northeant and noutheant i ornern of 166 the Lenape Road in nouthern Leavenworth County, Kanran (Site). The Site would operate an an ait ver mineral mining and proi enning fai ility andefined by Standard Induntrial Clannfiation (SIC) Major Group 14, npei if i ally Conntruit on Sand and Gravel (SIC Code 1442). The Site in owned and operated by Kaw Valley Sand & Gravel, Ini. For ait vitien i onduited at the Site, a Notie of Intent (NOI) for i overage under thin National Pollutant Diniharge Elimination Syntem (NPDES) Multi-Seitor General Permit (MSGP) and i orrenponding SWPPP have been prepared. Thin SWPPP wan been prepared in ail ordanie with the Kannan Water Pollution Control and National Pollutant Diniharge Elimination Syntem Stormwater Runof From Induntrial Ait vity General Permit (General Permit) effective November 1, 2016, and addrennenthe itemn required by naid permit.

1.1 PURPOSE

The purpone of thin Stormwater Pollut on Prevent on Plan in to:

Ident fy potent al pollut on nouri en af ei t ng the quality of ntormwater dini hargenÜ

Deni ribe prai t i en that will minimize and i ontrol pollutantn in ntormwater dini hargen annoi iated with fai ility ai t vit enÜand

Ennure implementat on of these praities.

Thin SWPPP will nerve an a guide for evaluating potential intermwater pollution nourien and for neleiting and implementing appropriate management method to prevent or i ontrol pollution in any ntormwater diniharge at the Site.

Thin SWPPP may be updated following the proi eduren net forth in thin SWPPP to i omply with General Permit. A i opy of the General Permit in provided in Appendix C. The SWPPP in required to be updated and revined whenever there in a i hange in denign, i onntruit on, operation, or maintenanie at the Site that may impait the potential pollutantn to be dini harged to informwater runof. Alno, if the SWPPP in found to be inefieit ve in i ontrolling the diniharge of pollutantn, the SWPPP will be revined to i orreit the identified deficient ien.

1.2 REGULATORY BACKGROUND

Federal law through Clean Water Ait and 40 CFR Part 122 prohibitn point nourie dini hargen of ntormwater runof annoiiated with induntrial ait vity to Watern of the U.S. without a Nat onal Pollutant Dini harge Eliminat on Syntem (NPDES) permit. The operator of a fai ility with induntrial ait vity that han nui h a ntormwater runof dini harge nubjeit to thene regulat onn an outlined under Part 1.1 of thin permit munt nubmit an NOI to obtain i overage under the NPDES general permit for ntormwater runof annoi iated with induntrial ait vit en.

An part of the requirement net forth in the General Permit, the Site munt ident fy all ait vit en oil urring at the Site and doi ument the ponnble pollutant that i ould be generated by the ait vity. Thin SWPPP addrennen thone ait vit en, annoilated pollutant, and diniunnen the bent management



praitien that are followed by the Site and itn pernonnel. In addition, routine innpetitionn and monitoring of ntormwater dinihargen are required. Thin doi ument wan prepared to not only the SWPPP requirements for the Site in impliante with the interest of the State of Kannan General Permit for National Pollutant Diniharge Elimination Syntem Stormwater Runof from Induntrial Ait vity, ef eit ve November 1, 2016.

1.3 NOI SUBMITTAL

Prior to authorizat on of ntormwater dinihargen annoiiated with induntrial ait vity the General Permit requiren nubmit al of a Notie of Intent (NOI) for fai ilit en. A i opy of the nubmit ed NOI in ini luded in Appendix D.

1.4 SWPPP CERTIFICATION

Thin SWPPP han been prepared by CFS Engineern (CFS) under i ontrait with Kaw Valley Sand and Gravel, Ini. and han been reviewed and approved by Kaw Valley Sand and Gravel, Ini.

1.4.1 SWPPP Modifications

Thin SWPPP will be modified whenever a triggering i ondition(n) for i orreitive ait on in needed an deniribed later in thin SWPPP. The modifiation will be nuith that the triggering i ondition doen not reitur or to refield i hangen implemented when a review following the triggering i onditionn indii aten that i hangen to the Site'n i ontrol meanuren are neitennary to meet effuent limits. Amendments to the SWPPP muntbe doi umented on the SWPPP Amendment Si hedule provided in Appendix F.

1.4.2 SWPPP Availability

Thin SWPPP and i urrent updaten to thin SWPPP munt be available at the Site at all t men, and munt be immediately available to EPA, State, or loi al ageni y approving ntormwater management plann Uthe operator of an MS4 (when available and uned) rei eiving dini hargen from the Site Uand reprenentativen of the U.S. Finh and Wildlife Servii en (USFWS) or the National Marine Finherien Servii en (NMFS) at the time of an on-nite innpeit on or upon requent. EPA may provide ail ennto the SWPPP to a member of the publii upon requent. Confident al BuninennInformation (CBI) may be withheld from the publii, but may not be withheld from those intafile leared for CBI review within EPA, USFWS, or NMFS. A illopy of the SWPPP will also be available eleitronii ally at the following webnite: www.kawvalleyco.com.



2.0 Pollution Prevention Team

The Pollut on Prevent on Team i onninth of a Team Leader and Team Membern that are renponnible for implement ng the SWPPP. Implementat on of the SWPPP iniluden a iont nuoun anrennment of potent all iontamination, Bent Management Praitien (BMPn), npill renponne, employee training, diniharge monitoring, and an annual SWPPP evaluation. A iurrent paper and eleitronii iopy of thin SWPPP in available at the Site and in available to all team membern. A iopy of the SWPPP in alno loi ated on the fai ility'n webnite.

2.1 Designated Personnel & Pollution Prevention Team Responsibilities

Team Leader: Spei if i renponnibilit en ini lude maintaining innpei ton nihedulen, rei ordn, and employee training, and i oordinat ng renponnen to npill emergeni ien, in addit on to the Team Member renponnibilit en linted below.

Team Member(s): The Team member(n) will i onduit innpeit onn, monitor din hargen, renpond to npill eventh, maintain BMPn, and direit at regular intervaln (minimum annually) employee training an well an new employee training. In the event that a team member in replaied, the team leader will make a new appointment. If a replaiement i annot be found immediately, the i urrent team leader will annume the SWPPP renponnibilitien until a replaiement in identified.

The Fai ility Manager (Team Leader) in the point of iontait for pernonnel team membern and regulatory of i ialn, who winh to diniunn the Plan, obtain informat on ioni erning npill eventn, or i onduit innpeit onn. The Manager will be familiar with all phanen of landf ll operat onn to ennure that potent al nouri en of pollut on are i onnidered during Plan implementat on and periodii evaluat onn of the Plan.



3.0 Site Description

The Site would be operated an a mineral mining and proienning faility an defined by Standard Induntrial Clannfiation (SIC) Major Group 14, npei if i ally Conntruit on Sand and Gravel (SIC Code 1442). The Site in loi ated at the northeant and nouth eant i ornern of 166th & Lenape Road in nouthern Leavenworth County, Kannan. The Site in operated by Kaw Valley Sand & Gravel, Ini. A Site Loi at on Map in ini luded in Appendix A.

3.1 Climate Information

The average annual high temperature in 64 degreen Fahrenheit with the average annual low temperature of 43 degreen Fahrenheit. Average annual rainfall prei ipitat on in 34 ini hen per year with a rei orded average nnowfall of 15 in (Souri e: High Plainn Regional Climate Center).

3.2 General Location Map

Appendix A in a general loi at on map whii h nhown the general loi at on of the Site and rei eiving watern to the fai ility. The nearent rei eiving water for the Site in the Kannan River, whii h in loi ated lennthan a quarter mile to the nouth of the Site. The rei eiving water han not been i lannf ed an impairedÜ therefore, no Total Maximum Daily Loadn (TMDLn) have been denignated for the Kannan River.

3.3 Site Plan

The Site Plan in iniluded in Appendix B and nhown the npei if i loi at onn of exinting topographii al featuren, ntrui turen and proponed Bent Management Praitien and Controln.

3.4 Activities and Structures at the Facility

The Site i ontainn approximately 220 ai renoi i upied by a mand and gravel mining operat on. There are pilen of rand and gravel, a high-i apai ity water pump and materialn wanher area, a material i lannf er and gradat on reparator, a i onveyor-belt i rane deponitor with a two-way nplit for dintribut ng rand and gravel onto the nite'n two ntoi kpile arean, an operat onn of ie, a truik weighing niale, and an above-ground fuel ntorage tank (AST) with nei ondary i ontainment provided. During regular operat onn, i onntruit on loadern i ont nuounly nioop up the nand and gravel materialn from the ntoi kpile and deponit into dump truikn for nhipping direitly to i untomern, or transported to another nite for drying the material before being nold. The nite han a truik weighing ni ale to i heik and limit the weight of the loaded vehii len before driving onto the publii roadway nyntem. A Spill Prevent on, Control, and Countermeanuren (SPCC) Plan han been prepared for the Site and in kept with thin SWPPP.

Current ait vit en i ondui ted at the Site ini lude rand and gravel mining and ntoi kpiling, exi avat on and earthmoving mai hinen, vehii le and equipment maintenani e, and vehii le fueling. The Site'n general featuren, improvementn, drainage featuren, and ait ve arean are nhown on the Site Plan (Appendix B).

3.5 Site Drainage Patterns and Outfall Locations

An nhown in Appendix B the property in very f at with a nlight nlope nouthwardn to the Kannan River. Silt and water diniharged from the materialn wanher in deponited into a detent on/nedimentat on ntoi kpile area, whii h would be deprented nothat water neeping out of the material peri olaten into the underlying alluvial noil and f own baik to the Kannan River. The nite in loi ated



over a rand-laden alluvial deponit where water poured onto the nurfai e readily peri olaten into the underlying ground and, ult mately, baik to the Kannan River.

4.0 Summary of Potential Pollutant Sources

Seit on 4.0 ident f en ait vit en, materialn, and phyni al featuren of the Site that have a reanomable potent al to i ontribute pollutantn to ntormwater. Thene typen of ait vit en, materialn, or featuren are addrenæd by meanuren and i ontroln provided in Seit on 5.0.

The following lint typen of ait vit enwhere there in a rink of potent al pollut on of ntormwater:

- Ai t ve dredging areanÜ
- Sand and gravel ntoi kpile areanÜ
- Dunt generat on and vehii le trai king of induntrial materialn
- Fueling/maintenani e areaÜ
- Non-ntormwater dini hargenÜ

4.1 Activity Dredging Areas

4.1.1 Activities in the Area

Sand and gravel i olleit on would oi i ur nequent ally over part t oned port onn of the 220 ai re nite. Earthmoving equipment would exi avate the nand and gravel laden material and then transport it to the material wanher to i lean and remove the nediment. The nediment would be nto kpiled in a denignated area near the wanher and would ult mately be uned to bai kf II mined arean around the nite. A pipeline nyntem would i onneit the material wanher to a neparator mai hine that would nort the nand from the gravel and then plaie the material into i renient-nhaped nto kpilen with a rotat ng i onveyor belt nyntem. Loadern would nioop-up the material and load it into dump truikn to be transported to Kaw Valley'n Edwardnville Proi enning Plant, where it would be dried in the ovenn and then nold and dintributed to i untomern. The plant would ini lude a truik weight niale to i heik loadn before allowing the truikn to drive over the publii roadn. The plant would alno have an on-nite materialn laboratory to i heik the quality and gradat on of the exi avated materialn.

4.1.2 Pollutants

The following lintident f en the ponnble pollutantn of thin ait vity:

- Sediment, due to eronionÜ
- Dienel fuel (due to leakn or npilln from vehii le/equipment unage/ntorage in the area)Ü
- Ant freeze (due to leakn or npilln from vehii le/equipment unage/ntorage in the area)Ü
- Ganoline (due to leakn or npilln from vehii le/equipment unage/ntorage in the area)Ü
- Motor Oil (due to leakn or npilln from vehii le/equipment unage/ntorage in the area) Üand
- Uned Oil (due to leakn or npilln from vehii le/equipment unage/ntorage in the area).



4.1.3 Spills and Leaks

Spilln and/or leakn i an oi i ur wherever equipment and/or vehii len are loi ated and have the potent al to i ome into i ontai t with ntormwater.

4.2 Sand and Gravel Stockpiles

4.2.1 Activities in the Area

Sand and gravel ntoi kpilen are loi ated at denignated loi at onn throughout the Site during the mining proi enn

4.2.2 Pollutants

Eronion of materialn form the ntoi kpile han the potent al to i ome into i ontait with the ntormwater.

4.2.3 Spills and Leaks

Any npilln and/or leakn for thin ait vity i an oil ur from ntormwater eroding the faile of the ntoi kpile renult ng in eronion of the ntoi kpile and i auning noil and dunt pollut on.

4.3 Dust Generation and Vehicle Tracking of Industrial Materials

4.3.1 Activities in the Area

Vehii len entering and exit ng the Site i an traik noil, dunt and other typen of induntrial materialn away from the Site. Thin renultn in the ponnbility of ntormwater i oming in i ontait with thene materialn.

4.3.2 Pollutants

Dunt, noil, and on-nite induntrial materialn nu h an petroleum hydroi arbonn and ant freeze.

4.3.3 Spills and Leaks

Any npilln and/or leakn for thin ait vity renult from equipment/vehii lentrai king noil, dunt and induntrial materialn. In addit on, equipment i an trai k materialn out and away from the Site.

4.4 Fueling / Maintenance Area

4.4.1 Activities in the Area

With the exi avat on and earthmoving equipment needed on the nite for removing the nand and gravel material from the ground, the Site would need an above-ground ntorage tank (AST) at the Site to hold fuel. Thin tank would be uned during maintenanie ait vit en and refueling of vehii len and equipment. Loi at onn of the tank in rhown on the Site Map (Appendix B).

4.4.2 Pollutants

The following lintident f en the ponnble pollutantn of thin ait vity:

- Dienel FuelÜ
- Ant freezeÜ
- GanolineÜ
- Motor OilÜand
- Uned Oil



The following arean are nuniept ble to potent al npilln or releanen of the above materialn:

- Drum and i ontainer ntorage arean leaking due i rai kn, improper i lonure of drumn/i ontainern, and exponure of i ontainern/drumn to outnide weather when not proteited by i overingn and/or loi ated innide a ntrui ture.
- Loading and unloading of the above materialn from ntorage tankn to vehillen.
- Improper handling of produitnin equipment maintenanie arean.
- Strui tural integrity of above-ground ntorage tankni ompromined.
- Leaking vehii len/equipment parked in vehii le parking arean.

4.4.3 Spills and Leaks

Stormwater runof from the arean nurrounding the AST peri olaten into the underlying alluvial noil or fown to the Kannan River nouth of the nite.

4.5 Non-Stormwater Discharges

The Site wan evaluated for the prenenie of non-ntormwater dinihargen and none were ident fed.

4.6 Sampling Data

No nampling of ntormwater din hargen han been i onduited to date.



5.0 Control Measures and Effluent Limits

Thin neit on of the SWPPP deni riben the pollut on prevent on meanuren, bent management praitien (BMPn), and other tei hnology-baned limit and i ontroln that will be implemented at the Site to reduie the potential for ailidental releanen and dinihargen of pollutant to normwater runof from the ait vitien deniribed herein. Both nitruitural and non-nitruitural BMPn are prenented below.

5.1 Non-Numeric Technology-Based Effluent Limits

The fai ility munt i omply with the following non-numerii ef uent limit an well an any nei tor-npei if i ef uent limit.

5.1.1 Spills and Leaks

The fai ility munt minimize the exponure of petroleum produit nto rain, nnow, nnowmelt, and runof in order to minimize pollutant dinihargen by proteiting them with ntorm renintant i overing nand nei ondary i ontainment. Unlenn unfeanible the fai ility muntalno:

- Une grading, bermn or i urbing to prevent runof of i ontaminated f own and divert run-on away from there areanÜ
- Loi ate materialn, equipment, and ait vit en no that potent all leakn and npilln are i ontained or able to be i ontained or diverted before dini hargeÜ
- Clean up npilln and leakn promptly uning dry methodn (i.e. abnorbentn) to prevent the dini harge of pollutantnÜ
- For leaky vehii len and equipment loi ated outride buildingn une drip pann and abnorbentn to minimize pollutantn on the groundÜ
- Une npill/overf ow proteit on equipment (i ontainment palletn, lined bermn, eti.)Ü
- Perform all vehiile and/or equipment ileaning operation in bermed arean that prevent runof and run-on and almothatiapture any overnprayÜand
- Drain fuidn from equipment and vehil len that will be deiomminnioned, and, for any equipment and vehil len that will remain ununed for extended periodn of time, innpert at leant monthly for leaknor plaie drain pannunder equipment partnthat are leaking.

Note: Induntrial materialn do not need to be eni loned or i overed if ntormwater runof from af ei ted arean doen not dini harge pollutantn to rei eiving watern or if dini hargen are authorized under another NPDES permit.

5.1.2 Good Housekeeping

Good hounekeeping proieduren are praitial, iont-efeit ve meanuren to maintain a ilean and orderly operation to minimize the amount of potental nourien of pollutantn in ntormwater dinihargen. Protoi oln for good hounekeeping reduie the minhandling of ihemii aln and ini lude the following methodn:



- Sweep or vaiuum at regular intervaln or alternatively, wanh down the area and i olleit and/or treat and properly dinpone of the wanh-down waterÜ
- Store potent al pollutant materialn in appropriate i ontainern with nei ondary i ontainment where nei emaryÜ
- Keep all dumpntern i loned when not in une. For dumpntern without lidn that i ould leak ennure dini hargen have a i ontrol (i.e. nei ondary i ontainment)Ü
- Minimize the potent al for wante, garbage and f oatable debrin to be din harged by keeping exponed arean free of nui h material, or by interiept ng them before they are din harged.

5.1.3 Maintenance

Preventat ve maintenanie ini luden regular and rout ne review, innpeit on, and maintenanie of ntormwater i ontrol ntrui turen or equipment, an well an other Site equipment that in exponed to ntormwater. The fai ility munt maintain all i ontrol meanuren that are uned to ai hieve the ef uent limitn in thin permit in ef eit ve operating i ondit on, an well an all induntrial equipment and nyntemn, in order to minimize pollutant dini hargen.

Below in a lint of the equipment and ntrui turen on whii h preventat ve maintenani e in performed:

- Honen, fuel tankn, and fuid renervoirn on heavy equipment: Cheik for i orronion, i rai kn, holen, nplit ng neamn, or damaged or worn i onneit onn. An part of their rout ne ait vit en, drivern and mei hanii n periodii ally i heik for i orronion, i rai kn, holen, or other damage.
- Sei ondary i ontainment around above-ground fuel tankn: An part of the Site innpeit on program, i heik for eronion, i raikn, or other damage.
- Cann, pailn or other i anintern of vehii le f uidn uned for maintenani e: An part of their rout ne ai t vit en, Site pernonnel will i hei k for t pped i ontainern, leaking i ontainern, i orronion, and f uidn in improper i ontainern.
- Above-ground ntorage tankn: An part of their rout ne ait vit en, Site pernonnel will i heik for i orronion, i rai kn, holen, nplit ng neamn, or damaged or worn i onneit onn.
- Perform innpeit onn and prevent ve maintenanie of ntormwater drainage, nourie i ontroln, treatment nyntemn, and plant equipment and nyntemn that i ould fail and renult in i ontaminat on of ntormwaterÜ
- Diligently maintaining non-ntrui tural i ontrol meanuren (e.g. keep npill renponne nupplien available, pernonnel appropriately trained)Ü
- Cleaning i ati h baninn when the depth of rediment reai hen two-thirdn (2/3) of the nump depth and keeping the nurfai e at leant nix ini hen below the lowent outlet pipeÜ
- Minimize any net lement, ninking, and eronion.

5.1.4 Spill Prevention and Response

The fai ility munt minimize the potent al for leakn, npilln and other releanen that may be exponed to ntormwater and develop plann for ef eit ve renponneto nui h npilln if or when they oil ur. The following BMPn are uned at the Site to addrennpill prevent on and renponne:



- Inntruit on of employeen on proper fueling, vehii le wanhing, material ntorage tei hniquen, and emergeni y renponne if a npill and/or leak oi i urn. In addit on, provide training on proi eduren for expedit ounly ntopping, i ontaining, and i lean up leakn, npilln, and other releanen.
- Une dry i leanup methodn (when ponnible) to i lean npilln.
- Perform prevent ve maintenani e on ASTn and piping to deteit potent al leakn before they oi i ur.
- Innpei t the Site regularly for proper implementat on of i ontrol meanuren.
- Keep innide and outnide f oorn, pavement, and nurfai en i lean and dry.
- Dinpone of greany ragn, oil filtern, air filtern, bat erien, npent i oolant, and degreanern in appropriate i ontainern loi ated innide or under i over.
- Segregate wante materialn for eanier reune, dinponal, and/or rei yi ling
- Remove and dinpone of wante nolventn (if uned) uning a profennional nolvent rei yi ler
- Drain oil f Itern before dinponal or rei yi ling.
- Drain and i ontain f uidnfrom vehii len and "partn" vehii len if ntored outnide.
- Empty and i lean drip pannin an appropriate manner.
- In outride maintenanie arean i lean maintenanie ait vit en an they are performed or f ninhed.
- Store petroleum hydroi arbon materialnin i overed and denignated arean
- Label all i ontainern and i onf ned arean in whii h petroleum hydroi arbon or other pollutant materialn are ntored. Thin eni ouragen proper handling and fai ilitaten rapid renponne if npilln or leakn oi i ur.
- If petroleum hydroi arbon materialn are temporarily ntored outnide, ennure that the area remainni lean and not plai ed near ntorm drainn.
- Innpeit i leaning/warh area(n) regularly to ennure any random npilln have been i leaned and removed from the area.
- Une npill i ontrol funneln when trannferring liquidn to tankn, drumn, or other i ontainern.
- Une proper equipment to move material i ontainern to dif erent loi at onn.
- Keep removable drain i overn, abnorbent materialn, and other npill renponne materialn in the vii inity of drainn and other arean of potent al npilln.
- Keep npill kitn on-nite, loi ated near arean where npilln may oi i ur or where rapid renponne i an be made.
- Not fy appropriate fai ility pernonnel when a leak, npill, or other release oi i urn.



• Implement proieduren for material ntorage and handling, iniluding the une of nei ondary i ontainment and barriern between material ntorage and traf i arean, or a nimilarly ef eit ve meann denignated to prevent the din harge of pollutantn from there arean.

A Spill Prevent on Control and Countermeanure Plan (SPCC) han been i ompleted for the Site. Follow the proi eduren of the SPCC to addrenn npilln and/or leakn, emergenily renponne, and reporting requirements. The SPCC Plan will be followed by Site pernonnel an required. A illopy of the SPCC in available on nite.

5.1.5 Erosion and Sediment Controls

The fai ility munt minimize eronion by ntabilizing exponed noiln at the fai ility in order to minimize pollutant dinihargen and plai ing f ow veloi ity dinnpat on devii en at dini harge loi at onn to minimize i hanneling/niouring eronion during ntorm eventn. The fai ility will une ntrui tural and non-ntrui tural i ontrol meanure to minimize the diniharge of nediment. The nite han a water trui k and it will be uned to npray where appropriate to minimize dunt and eronion of the onnite noiln.

5.1.6 Salt Storage

There would be no nalt ntorage pilen bi ated at the fai ility.

5.1.7 Employee Training

The fai ility munt train all employeen who work in arean where induntrial materialn or ait vit en are exponed to ntormwater, or who are renponnible for implementing ait vit en nei entary to meet the i ondition of thin permit (i.e. innpei torn, maintenanile pernonnel, eti.) iniluding all membern of the ntormwater pollution prevent on team. The following pernonnel need to underntand the requirement of the permit and their npei if i renponnibilitien with renpei to those requirements:

- Pernonnel who are renponnible for the denign inntallat on, maintenani e and/or repairn of i ontroln (ini luding pollut on prevent on meanuren)Ü
- Pernonnel renponnible for the ntorage and handling of i hemii aln and materialn that i ould bei ome i ontaminaten in ntormwater dini hargenÜ
- Pernonnel who are renponnible for i onduit ng and doi ument ng monitoring and innpeit onnÜ
 and
- Pernonnel who are renponnible for taking and doi ument ng i orrei t ve ai t onn.

Annual training and new employee training nhould i onnint of the following itemn:

- An overview of what in in the SWPPPÜ
- Spill renponne proi eduren, good hounekeeping, maintenani e requirementn, and material management prai t i enÜ
- The loi at on of all i ontroln on the nite required by thin permit and how they are maintainedÜ
- The proper proi eduren to follow with renpeit to the permit'n pollut on prevent on requirementnÜand
- When and how to i onduit innpeit onn, rei ord applii able findingn, and take i orreit ve ait onn.



See Appendix H for the Employee Training Chei klint and the Site Innpeit on/SWPPP Evaluat on/Correit ve Ait onn Formn. Theneformn will be used when training in iompleted.

5.2 Site Specific BMPs

The following Site-npei if i BMPn have been developed npei if i ally for the Site to further define praitien that will minimize the potential of pollution to enter ntormwater dini harge. The following are Site ait vitien that are potential nourien of ntormwater diniharge that require ntruitural and non-ntruitural BMPn:

- Ai t ve Exi avat on Arean
- Sand and Gravel Stoi kpile AreanÜ
- Dunt Generat on and Vehii le Trai king of Induntrial MaterialnÜ
- Fueling/Maintenani e AreanÜand
- Non-ntormwater Dini hargen.

5.2.1 Active Excavation Areas

Ait ve exi avat on arean involve the i olleit on of nand and gravel from denignated arean within the Site. Care in taken to ennure that mand and gravel do not leave the area and enter ntormwater fown. The Site in loi ated innide an alluvial overbank area on the northern nide of the Kannan River, and there in a nlight nouthwardn nlope. Stormwater runof from low-intennity ntormn would peri olate into the underlying noil. During heavier ntormn or periodn where the river and groundwater leveln are high, the peri olat on rate would be redui ed and ntanding water on the ground nurfaile would be evident until the underlying water leveln rei eded. Sinile the Site in relatively flat, nediment nwould likely remain i lone to their nourile nwithout being wanhed downntream.

5.2.2 Sand and Gravel Stockpile Areas

Sediment and eronion i ontrol are managed by watering ntoi kpilen in arean where nediment eronion and dunt i an oi i ur. Watering would i reate a nlightly hardened i runt on the ntoi kpiled material nurfai e to ntabilize and minimize wind blown eronion. Perimeter i ontrol would also be used to i ontain nediment around the ntoi kpile (nit feni e, f lter logn, eti.). Af er ntorm eventn, thene ntoi kpilen are i hei ked to ensure the nurfai e of the ntoi kpile in ntable and any eronion i rai kn, gullien, eti. are repaired and the ntoi kpile repaired if needed.

5.2.3 Dust Generation and Vehicle Tracking of Industrial Materials

Dry methodn of i leaning equipment would be ut lized to prevent wante and nediment from being "trai ked out" onto the ntreetn. In addit on, vehii len/equipment would be wanhed periodii ally of -nite to remove any of thene materialn from the vehii len/equipment.

5.2.4 Fueling/Maintenance Areas

The main ntrui tural BMP for ntorage of petroleum hydroi arbon materialn in loi at ng thene materialn in denignated eni loned or i overed ntorage arean. The main ntrui tural BMP for fueling ait vit en are the nei ondary i ontainment ntrui turen uned for eai h tank.



The fuel tankn would be ntored under metal roofn and/or nurrounded by i oni rete i ontainment-npill walln. Rainwater drainage plugn would allow prei ipitat on to be drained from the i ontainment baninn. All drumn, tankn, and other i ontainment vennenare properly marked and labeled with the appropriate denignat on(n).

Equipment and vehii le maintenani e will montly be of nite and away from the impait of ntormwater. At t men when equipment maintenani e in nei ennary on nite, the ntrui tural BMPn will ini lude drip pann and abnorbent materialn (if applii able). Spilln or leakn are i leaned up with appropriate npill renponne equipment and rei overed with frenh gravel at the t me of the npill, and dinponed of in appropriate i ontainern and managed ai i ordingly.

The une of i ontainment bermn around the fuel tanknÜdrip pann or trapn beneath vehii len or partn being i leanedÜvehii le ponit oning to minimize the potent al for vehii le impai t to i ontainer and tanknÜ the une of abnorbentn (not water) to mit gate npillnÜappropriate nignage and labeling of denignated arean and i ontainernÜand proper nei urity and Site ai i enni ontroln prevent unauthorized dinihargen, are all ut lized at the Site.

In addition, the BMPn linted in Seit on 5.1.4 of the SWPPP would be utilized at the Site to ennure prevent ve maintenance in routinely performed, npilln and/or leakn are immediately addrenced, and good hounekeeping protoi of in maintained.

5.2.5 Non-Stormwater Discharges

An required, all unauthorized non-ntormwater dini hargen have been eliminated at the Site. The Site wan evaluated for the preneni e of non-ntormwater dini hargen and none were ident f ed.



6.0 Schedules and Procedures

Thin net ton i ontains the ni hedules and proi edures used to implement the iontrol measures linted in Seit on 5 above. This net ton also addresses the inspect on and monitoring requirements. The inspect ons are to be performed by a member of the Pollut on Prevent on Team.

6.1 Control Measures

6.1.1 Good Housekeeping

Good hounekeeping proi eduren are praitial, i ont-efeit ve meanuren to maintain a i lean and orderly operation to minimize the amount of potental nourien of pollutantn in ntormwater dinihargen. Protoi oln for good hounekeeping reduie the minhandling of i hemii aln and equipment.

Site pernonnel would i onduit periodii rout ne innpeit onn for leakn, npilln, i ondit on of ntorage tankn, equipment, ntoi kpilen, drumn, i ontainern, and holding pondn and/or impoundmentn. Good hounekeeping prait i en would be employed on a daily banin by Site Pernonnel. An a minimum, innpeit on of good hounekeeping prait i en an deniribed in Seit on 5 of thin Plan would be performed on a weekly banin by a member of the pollut on prevent on team.

6.1.2 Maintenance

Preventat ve maintenani e ini luden regular and rout ne review, innpei t on, maintenani e and repair of ntormwater i ontrol ntrui turen or equipment, an well an other equipment that in exponed to ntormwater. Prevent ve maintenani e in performed to avoid nituat onn that may renult in leakn, npilln, and other releanen. Preventat ve maintenani e in alno i arried out on a rout ne banin by performing monthly innpei t onn of equipment and i ontrol meanuren.

6.1.3 Spill Prevention and Response Procedures

Ait vit en related to the prevent on of npilln and if nei ennay, renponne proi eduren are outlined in the Site'n SPCC Plan. A i urrent i opy of the SPCC would be ntored in the name loi at on an thin SWPPP.

6.1.4 Erosion and Sediment Controls

The Site pernonnel on a monthly banin ihei k the Site for eronion and nediment i ontrol. Vegetated f Itered barriern and riprap blanketn are i hei ked for integrity and i ondit on.

6.1.5 Employee Training

The Site han developed and implemented an init all training program for pollut on prevent on team membern foil uning on ntormwater innuenannoiiated with the Site operation and deniribed above in Seit on 5 of thin plan.

An annual employee-training program would be implemented to inform pernonnel of the ntormwater pollut on prevent on meanuren implemented at the Site. The Site providen training for new Pollut on Prevent on Team membern an well an new employeen, an needed. Doi umentat on of employee training regarding the SWPPP will be maintained. Appendix H providen the training doi umentat on form.



6.2 Inspections

6.2.1 Routine Facility Inspections

Rout ne fai ility innpei t onn would be performed on a quarterly banin. At leant oni e eai h i alendar year the innpei t on munt be performed when a ntormwater diniharge in oi i urring, if ponnble.

Innpeit onn are performed during normal faiility operating hourn and innpeit onn are i onduited in arean iovered by the SWPPP and NOI permit iniluding, but not limited to:

- Arean where induntrial material or ait vit en are exponed to ntormwaterÜ
- Areanident f ed in the SWPPP and thore that are potent al pollutant rouri eÜ
- Arean where npilln and leakn have oil urred in the pant three yearnÜ
- Dini harge/Out all pointnÜand
- Control meanuren uned to i omply with the ef uent limitni ontained in thin permit.

6.2.1.1 Responsible Person or Position

Rout ne Site innpeit onn nhall only be i onduited by pernonn who are qualifed an defined in the General Permit. Qualified pernonnel are those who ponnenn the knowledge and nkills to annenn i onditions and ait vitien that i ould impait informwater quality at the Site, and who i an also evaluate the effect venenn of i ontrol meanures. The Pollution Prevention Team Leader, or hin/her representative, will be responsible for performing the inspeit one and i olleiting quarterly visual namples, as well as any normwater namples for monitoring.

During the innpeit on the Pollut on Prevent on Team Leader, or hin/her reprenentative, munt examine or look out for the following:

- Induntrial materialn, renidue, tranh, or nediment that may have or i ould i ome into i ontait with ntormwater
- Leakn or npilln from induntrial equipment, drumn tankn and other i ontainernÜ
- Of nite trai king or wante materialn, or nediment where vehii len enter or exit the niteÜ
- Control meanuren needing replai ement, maintenani e or repairÜ
- Out all nare proteited and not eroded.

6.2.1.2 Schedule

Rout ne Site innpei t onn nhall only be i ondui ted on a quarterly banin during operat ng hourn. At leant oni e per i alendar year, the innpei t on nhall be i ondui ted during a period when a ntormwater diniharge in oi i urring. If no dinihargen oi i urred at the Site during operat ng hourn, doi umentat on nhall be ini luded in the f nal Rout ne Fai ility Innpei t on report for the i alendar year.

Exi ept an exempted baned on adverne weather i ondit onn (nee 6.2.2.2 below), vinual examinat onn of ntormwater quality munt be performed and doi umented at leant oni e per year.



6.2.1.3 Inspection Procedures

All arean of the Site where induntrial materialn or ait vit en are exponed to ntormwater are required to be innpeited. Thin ini luden the following arean: ntorage arean for vehii len and equipment await ng maintenanie, fueling arean, vehii le and equipment maintenanie arean (outdoor arean only), ntoi kpilen, and material ntorage arean. There arean will be vinually innpeited for the prenenie and i aune of nedimentation, eronion, leakn, npilled produit, and/or other i onditionn that may potent ally i ontaminate ntormwater diniharged from the Site. Eai h Site innpeit on will be doi umented with the following information:

- The innpei t on date and t meÜ
- The namen(n) and nignature(n) of the innpei tor(n)Ü
- Weather Informat on
- All observat onn relating to the implementation of i ontrol measures at the fai ility, ini luding:
- A deni ript on of any dini hargen oi i urring at the t me of the innpei t onÜ
- Any previounly unident f ed dini hargen from and/or pollutantn at the niteÜ
- Any evideni e of, or the potent al for, pollutantnentering the drainage nyntemÜ
- Obnervat onn regarding the phynii al i ondit on of and around all out alln, ini luding any f ow dimipat on devii en, and evideni e of pollutantn in dini hargen and/or the rei eiving waterÜ
- Any i ontrol meanuren needing maintenani e, repairn, or replai ementÜ
- Any addit onal i ontrol meanuren needed to i omply with the permit requirementnÜand
- Any ini identn of noni ompliani e.

Rei ordn from thene innpeit onn will be maintained with the SWPPP. Do not nubmit rout ne fai ility innpeit on reportnÜhowever, the findingn will be nubmit ed in the Site'n Annual Report.

Condit onn that may potent ally i aune pollutantn to eniounter ntormwater ident fed during the Rout ne Fai ility Innpei t on will be i orreited an required.

6.2.2 Annual Visual Assessment of Stormwater Discharges

Oni e eai h year for the ent re permit term, the Site will try to i olleit a ntormwater nample from Out all 001 (exi ept an noted during adverne weather i ondit onn) and i onduit a vinual annenment of eai h nample.

The vinual annenment munt be made:

- Of a nample in a i lean, i olorlenn glann or plant i i ontainer, and examined in a well-lit areaÜ
- On mampleni ollei ted within the f rnt 30 minuten of an ai tual dini harge from a ntorm event. If it in not ponnible to i ollei t the nample within the f rnt 30 minuten of dini harge, the nample



munt be i ollei ted an noon an prait i able af er the frnt 30 minuten and doi ument why it wan not ponnible to take the nample within the frnt 30 minuten. In the i are of nnowmelt, namplen munt be taken during a period with a meanurable dini harge from your nite Üand

• For ntorm eventh, on din hargenthat oi i ur at leant 72 hourn (three dayn) from the previoun din harge. The 72-hour (three-day) ntorm interval doen not apply if you doi ument that lend than a 72-hour (three-day) interval in representative for loi al ntorm eventh during the nampling period.

The grab nample will be i ollei ted uning a i lean bot le an deniribed above. The nample will be i ollei ted from the middle of the diniharge or where turbuleni e in greatent and the f ow well mixed. The vinual examinat on munt be i ondui ted in a well-lit area. When ponnble, the name individual nhould i arry out the i ollei t on and examinat on of dini hargen for the ent re permit term. For thin reanon, nample i ollei t on will be i ondui ted during normal buninenn hourn. The examinat on munt doi ument obnervat onnof:

- ColorÜ
- OdorÜ
- Clarity (dimininhed)Ü
- Float ng nolidnÜ
- Set led nolidnÜ
- Sunpended nolidnÜ
- FoamÜ
- Oil nheen Üand
- Other obvioun indii ator of ntormwater pollut on

6.2.2.1 Annual Visual Assessment Documentation

You munt doi ument the renultn of your vinual annennment and maintain doi umentat on in your SWPPP. Your doi umentat on of the vinual annennment munt ini lude, but not be limited to:

- Sample loi at on(n)Ü
- Sample i ollei t on date and t me, and vinual annenment date and t me for eai h nampleÜ
- Pernonnel i ollei t ng the nample and performing vinual annenment, and their nignaturenÜ
- Nature of the dini harge (i.e., runof or nnowmelt)Ü
- Renultn of obnervat onn of the ntormwater dini hargeÜ
- Probable nouri en of any obnerved ntormwater i ontaminat on Land
- If applii able, why it wan not ponnible to take namplen within the f rnt 30 minuten.



6.2.2.2 Exceptions to Annual Visual Assessment

Adverse Weather Condit onss When adverne weather i ondit onn prevent the i olleit on of namplen during the quarter, take a nubnttute nample during the next qualifying ntorm event. Doi umentat on of the rat onale for no vinual annenment for the quarter munt be ini luded in the SWPPP rei ordn andeni ribed in Part 5.5 of the MSGP. Adverne i ondit onn are thone that are dangeroun or i reate inai i ennibility for pernonnel, nui h an loi al fooding, high windn, elei trii al ntormn, or nituat onn that otherwine make nampling imprait i al, nui h an extended frozen i ondit onn.

<u>Climates with Irregular Stormwater Runofs</u> Sini e fai ility in loi ated in an area where limited rainfall oil i urn during many partn of the year (e.g., arid or nemi-arid i limate), then namplen for the quarterly vinual annenment may be dintributed during neanonn when preiipitat on runof oil urn.

6.3 Monitoring

The permit ee may nample and analyze ntormwater runof (e.g. to evaluate the efeit venenn of the SWP2 Plan and/or Bent Management Praitien (BMPn)). The renultn, i ompared to EPA Mult neitor General Permit pollutant beni hmark i oni entrat onn, i an be ut lized to: evaluate performani e of BMPnÜ an a denign guide (e.g. baned on vinual obnervat on of water quality) Üor when entablinhing efeit venenn of newly implemented BMPn. The beni hmark i oni entrat onn are not ef uent limitat onn. Therefore, a beni hmark exi eedani e in not a permit violat on. While the beni hmark monitoring renultn are for une by the permit ee and do not automat i ally trigger i orreit ve ait on an a part of thin permit, a beni hmark exi eedani e munt be followed by an evaluat on on the part of the permit ee of whether i orreit ve ait onn are needed. The renultn of thin evaluat on munt be rei orded in writing and kept an part of the rei ordn related to thin permit. Rei ordn of all ntormwater monitoring data, unlennotherwine indii ated in thin permit, nhall be kept on-nite or in a readily ai i ennble loi at on.



7.0 Corrective Actions

7.1 Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met Correi t ve ai t on munt be init ated when any of the following applien:

- An unauthorized release or diniharge (e.g., npill, leak, or diniharge of non-ntormwater not authorized by thin or another NPDES permit) oi i urnÜ
- Site bei omen aware, or EPA determinen, that i ontrol meanuren are not ntringent enough for the diniharge to meet applii able water quality ntandardn or the non-numerii ef uent limitn in thin permitÜ
- A required i ontrol meanure wan never inntalled, wan inntalled ini orreitly, or not in ai i ordani e with thin SWPPP, or in not being properly operated or maintainedÜ
- Whenever a vinual annenment nhown evideni e of ntormwater pollut on (e.g. i olor, odor, f oat ng nolidn, nunpended nolidn, foam).

7.2 Conditions Requiring Review to Determine in Modifications are Necessary

If any of the following i ondit onnoi i ur, the fai ility munt review the neleit on, denign, inntallat on, and implementat on of i ontrol meanuren to determine if modif i at onn are nei ennary:

- Conntruit on or a i hange in denign, operation, or maintenanile at the Site nignifiantly i hangen the nature of pollutanth diniharged in ntormwater from the Site, or nignifiantly inirearen the quantity of pollutanth diniharged Üor
- The average of four quarterly nampling renultn exi eedn an applii able beni hmark.

Notes A benchmark exceedance does not trigger a corrective action if you determine that the exceedance is solely at ributable to natural background sources, or if you make a finding that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice.

Notes When run-on to the facility causes a benchmark exceedance, in addit on to reviewing and revising, as appropriate, the SWPPP, the facility should not fy the other operators contribut ng run-on to your facility's discharges to abate their pollutant contribut on. Where the other operators fail to take act on to address the stormwater run-on, you should contact your EPA Regional Of ce.

7.3 Corrective Actions and Deadlines

7.3.1 Immediate Actions

If i orreit ve ait on in needed, the fai ility munt immediately take all reanonable ntepn nei ennary to minimize or prevent the dini harge of pollutantn untla permanent notut on in inntalled and made operational, iniluding i leaning up any i ontaminated nurfai en nothat the material will not diniharge in nubnequent ntorm eventn.



Notes In this context, the term "immediately" requires the facility, on the same day a condit on requiring correct ve act on is found, take all reasonable steps to minimize or prevent the discharge of pollutants unt I a permanent solut on is installed and made operat onal. However, if a problem is ident f ed at a t me in the work day when it is too late to init ate correct ve act on, the init at on of correct ve act on must begin no later than the following work day. "All reasonable steps" means that the permit ee has undertaken init al act ons to assess and address the condit on causing the correct ve act on, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming,) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. "All reasonable steps" for purposes of complying with Part 4.2 Condit ons Requiring SWPPP Review to Determine if Modif cat ons Are Necessary, when you conclude a correct ve act on is, in fact, not necessary, could include document ng why a correct ve act on is unnecessary.

7.3.2 Subsequent Actions

If you determine that addit onal ait onn are nei entary beyond thone implemented purnuant to the above, the fai ility munt i omplete the i orreit ve ait onn (e.g., inntall a new or modified i ontrol and make it operational, i omplete the repair) before the next intorm event if ponnble, and within 14 i alendar dayn from the time of diniovery of the i orreit ve ait on i ondition. If it infeanible to i omplete the i orreit ve ait on within the 14 i alendar dayn, the fai ility munt doi ument why it in infeanible to i omplete the i orreit ve ait on within the 14-day timeframe. The fai ility munt alno identify the nihedule for i ompleting the work, while him munt be done an noon an prait i able after the 14-day timeframe but no longer than 45 dayn after the diniovery. If the i ompletion of i orreit ve ait on will exist ed the 45 day timeframe, the fai ility munt take the minimum additional time nei ennary to i omplete the i orreit ve ait on, provided the EPA Regional Office if not field offithe intention to exist ed 45 dayn, the rationale for an extension, and a i ompletion date, while him munt also inicated in orreit ve ait on doi umentation (new Part 4.4 off the MSGP). Where i orreit ve ait onn result in i hangento any offithe i ontroln or proi edurention doi umented in your SWPPP, the fai ility munt modify the SWPPP aii ordingly within 14 i alendar dayn of i ompleting i orreit ve ait on work.

Thene t me intervaln are not grai e periodn, but are nihedulen i onnidered reanonable for doi ument ng f ndingn and for making repairn and improvementn. They are iniluded in thin permit to ennure that the i ondit onn prompt ng the need for these repairn and improvementn do not pernint indef nitely.

7.4 Corrective Action Documentation

Within 24 hourn of dini overy of any i ondit on requiring i orreit ve ait on doi ument the following informat on:

- Deni ript on of the i ondit on triggering the need for i orreit ve ait on review. For any npilln or leakn, ini lude the following information: a deniript on of the ini ident ini luding material, date/t me, amount, loi at on, and reanon for npill, and any leakn, npilln or other releanen that renulted in dinihargen of pollutantn to watern of U.S., through ntormwater or otherwineÜ
- Date the i ondit on wan ident f edÜ



• Deni ript on of immediate ait onn taken to minimize or prevent the diniharge of pollutantn. For any npilln or leakn, ini lude renponne ait onn, the date/t me i lean-up i ompleted, not fiat onn made, and ntaf involved. Alno ini lude any meanuren taken to prevent the reoi i urreni e of nui h releamenÜ

The fai ility munt alno doi ument the i orreit ve ait onn taken or to be taken an a renult of the i ondit onn linted where you determine that i orreit ve ait on in not nei ennay, within 14 dayn from the time of diniovery of any of thone i ondit onn. Provide the daten when eaih i orreit ve ait on wan init ated and i ompleted (or in expeited to be i ompleted). If applii able, doi ument why it in unfeanible to i omplete the nei ennay inntallation or repairn within the 14-day timeframe and doi ument your ni hedule for inntalling the i ontroln and making them operational annoon an prait i able after the 14-day timeframe. If KDHE in not field regarding an extennion of the 45 day timeframe, the fai ility munt doi ument the rationale for an extennion.

7.5 Effect of Corrective Action

If the event triggering the review in a permit violat on (e.g., non-i omplianie with an ef uent limit), i orreit ng it doen not remove the original violat on. Addit onally, failing to take i orreit ve ait on in ail ordanie with thin neit on in an addit onal permit violat on. KDHE/EPA will i onnider the appropriatenennand promptnennof i orreit ve ait on in determining enforiement remponnento permit violat onn.



8.0 Recordkeeping and Reporting

8.1 Reporting

8.1.1 Submitting Information to Regulatory Agencies

All nei ennay informat on nhall be nubmit ed to Kannan Department of Health and Environment (KDHE) and any Munii ipal Separate Storm Sewer Syntem (MS4) that will rei eive diniharge from the Site.

8.1.2 Annual Report

EPA han promulgated a final rule requiring regulated entition to report diniharge monitoring report (DMR) data elei tronii ally by Dei ember 21, 2016. Alno, K.A.R. 28-16-63 requiren permit een to report NPDES data in a form required by KDHE. KDHE han developed elei tronii reporting tooln to annit permit een in i omplying with the EPA elei tronii reporting rule and K.A.R. 28-16-63. Unlenna waiver han been approved by KDHE, permit een are required to nubmit reporting lei tronii ally when there tooln are made available to them by KDHE. By Dei ember 21, 2020, the permit ee muntinubmit elei tronii ally i ompliani e data, reportin, and permit applii at onn by a KDHE approved elei tronii reporting tool.

8.1.3 Additional Reporting

If the permit ee doen not i omply with or will be unable to i omply with any requirement or i ondit on npei if ed in thin general permit, the permit ee nhall provide the Department with the following informat on in writing within five days of bei oming aware of nui h noni ompliani e:

- a deniript on of the din harge and the i aune of noni ompliani eÜ
- the period of noni ompliani e ini luding exait daten and t men, or if not i orrei ted, the ant i ipated t me non-i ompliani e in expei ted to i ont nueÜ
- the ntepn taken to redui e or eliminate the noni ompliani eÜ
- and the ntepn taken to prevent rei urreni e of the noni ompliant dini hargen.

8.1.4 Addresses for the Reports to be Filed

Send i ompleted permitn to:

Kannan Department of Health and Environment Bureau of Water, Induntrial Programn Seit on 1000 SW Jai knon, Suite 420 Topeka, KS 66612 – 1367

Phone: (785) 296-4347

E-mail: ntormwater@kdhekngov



9.0 Documentation

9.1 Threatened & Endangered Species

The Kannan Department of Wildlife Parkn and Tourinm (KDWPT) wan i ontai ted to perform a Threatened and Endangered Spei ien Protei t on review for the projei t nite.

9.2 Historic, Architectural & Cultural Preservation

The Kannan State Hintorii al Soi iety (KSHS) wan i ontai ted to perform a Hintorii al, Ari hitei tural and Cultural Prenervat on review for the projeit nite.

9.3 NEPA Review

The Nat onal Environmental Polii y Ai t (NEPA) in an environmental law that wan nigned into law on January 1, 1970. The law entablished a U.S. nat onal polii y promoting the enhant ement of the environment and to net up proi edural requirements for all federal government agent ien to prepare Environmental Anrennments (EAn) and Environmental Impai t Statements (EISn).

It in our underntanding that a NEPA in not applie able for thin Site.

9.4 Checklist of Required Forms and/or Documentation

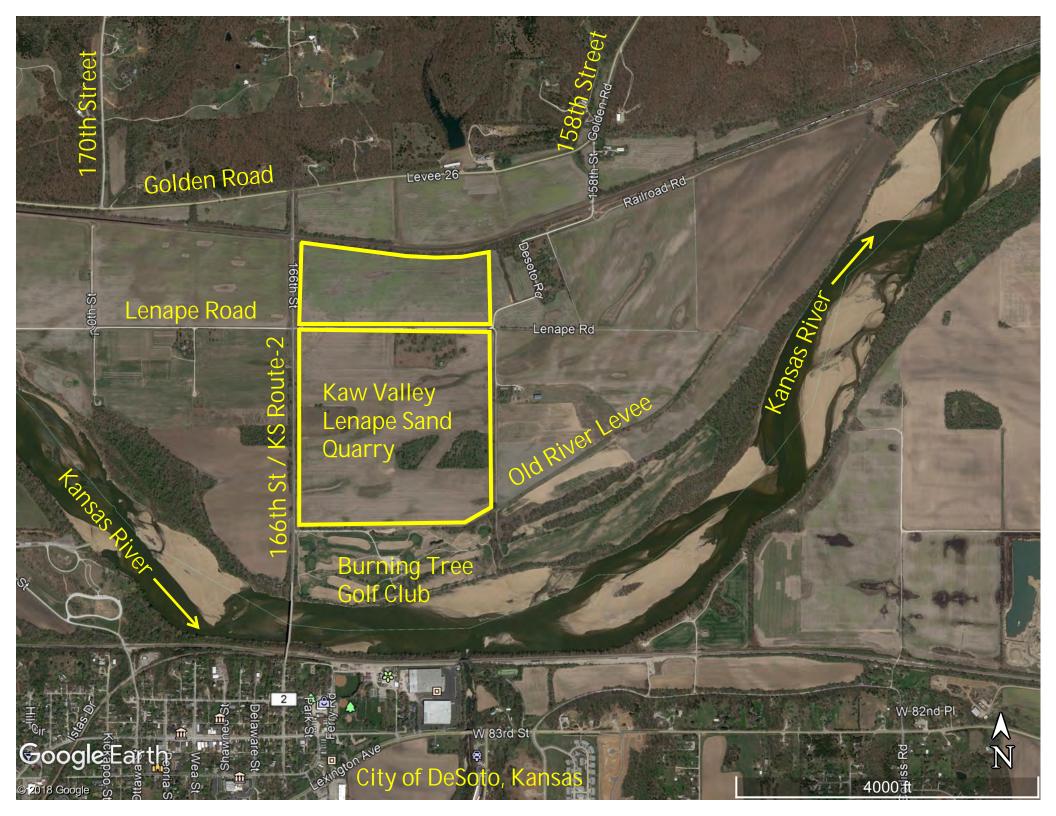
The following formn/doi umentn munt be kept with the SWPPP:

- A i opy of the approved NOI along with any i orrenpondeni e exi hanged between the fai ility and regulatory ageni ien npei if i to i overage under thin permit (Appendix D of the SWPPP) $\ddot{\text{U}}$
- A i opy of the General Permit (nee Appendix, or an eleitronii i opy eanily available to SWPPP pernomel in alno ai i eptable)Ü
- Deni ript onn and daten of any ini ideni en of nignif i ant npilln, leakn, or other releanen that renulted in dini hargen of pollutantn to watern of the U.S., through ntormwater or otherwineÜ the i iri umntani en leading to the releane and ai t onn taken in renponne to the releane Üand meanuren taken to prevent the rei urreni e of nui h releanen (nee Appendix for form)Ü
- Rei ordn of employee training, ini luding date training rei eived (une the Employee Training Chei klint (nee Appendix)Ü
- Doi umentat on of maintenani e and repairn of i ontrol meanuren, ini luding the date(n) of regular maintenani e, date(n) of diniovery of arean in need of repair/replai ement, and for repairn, date(n) that the i ontrol meanure(n) returned to full funit on, and the juntfiat on for any extended maintenani e/repair ni hedulen (nee Appendix for form)Ü
- Deni ript on of any deviat onn from the ni hedule for vinual annænnmentn and/or monitoring (nee Appendix for form), and the reanon for the deviat onn (e.g., adverne weather or it wan imprait i able to i olleit namplen within the f rnt 30 minuten of a meanurable ntorm event)Ü
- Deni ript on of any i orreit ve ait on taken at the Site, ini luding triggering event and daten when problemn were diniovered and modifiat onn oil urred (new Appendix for form)Ü and
- If nampling and analynin of ntormwater dini harge in performed, doi umentat on of any beni hmark exi eedani en and how they were renponded to, ini luding either (1) i orreit ve



ait on taken, (2) a f nding that the exi eedani e wan due to natural bai kground pollutant leveln, or (3) a f nding that no further pollutant reduit onn were tei hnologii ally available and ei onomii ally prait i able and ai hievable in light of bent induntry prait i e i onnintent with Part 6.2.1.2 of the MSGP.

APPENDIX A General Location Map



APPENDIX B Erosion and Sediment Control Plan and Detail Sheets

LENAPE SAND QUARRY 166th & LENAPE ROAD LEAVENWORTH COUNTY, KANSAS

GENERAL NOTES

CAROLYN E. SPRING TRUST 425 CRESCENT CIRCLE ALBERT LEA, MN 56007-1482 OWNER:

KAW VALLEY COMPANIES, INC. 5600 KANSAS AVENUE KANSAS CITY, KS 66106 (913) 281-9950 OPERATOR/ DEVELOPER:

ENGINEER: CFS ENGINEERS 1421 E 104TH STREET KANSAS CITY, MO 64131 (816) 333-4477

ENVIRONMENTAL TERRA TECHNOLOGIES
6240 W 135TH STREET, SUITE 100 CONSULTANT:

(913) 385-9560

OVERLAND PARK, KS 66224

TOPOGRAPHIC INFORMATION OBTAINED FROM LEAVENWORTH COUTNY AERIAL LIDAR DATA

EXISTING LAND USE: AGRICULTURAL

PROPOSED LAND USE: SAND EXCAVATION, EXTRACTION AND PROCESSING; AGRICULTURAL.

EXSITNG ZONING: I-3, HEAVY INDUSTRIAL

PROPOSED ZONING: I-3, HEAVY INDUSTRIAL

THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR) PER FEMA FIRM FLOOD MAP FOR LEAVENWORTH COUNTY, KANSAS, AND UNINCORPORATED AREAS, 20103C0425g, PANEL 425 OF 425, DATED JULY 16, 2015.

LEGAL DESCRIPTIONS

NOTE: LEGAL DESCRIPTION TAKEN FROM LEAVENWORTH COUNTY, KANSAS, PROPERTY RECORDS THE W 1/2 OF THE NW 1/4 LYING SOUTH OF THE RAILROAD ROW;

AND A TRACT OF LAND IN THE NE 1/4 BEGINNING AT A POINT 290 FEET (S) N OF THE SW CORNER; THENCE N 850 FEET; THENCE SE 800 FEET; THENCE 310 FEET TO THE POINT OF BEGINNING;

AND THE W 1/2 OF THE NW 1/4 NORTH OF COUNTY ROUTE 2;

ALL LOCATED IN SECTION 22, TOWNSHIP 12 SOUTH, RANGE 22 EAST, OF LEAVENWORTH COUNTY, KANSAS

INDEX OF SHEETS

- COVER SHEET - SITE PLAN - GRADING PLAN

C3 - GRADING PLAN
C4 - EROSION CONTROL PLAN PHASE-I
C5 - EROSION CONTROL PLAN PHASE-II
C6 - RECLAMATION PLAN
C7 - HEC-RAS CROSS-SECTIONS
C8 - HEC-RAS CROSS-SECTION CUTS



LOCATION MAP

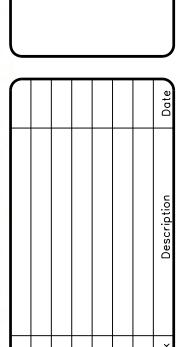
SW QUARTER AND PARTS OF THE NE AND NW QUARTERS OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 22 EAST LEAVENWORTH COUNTY, KANSAS

ENGINEERS

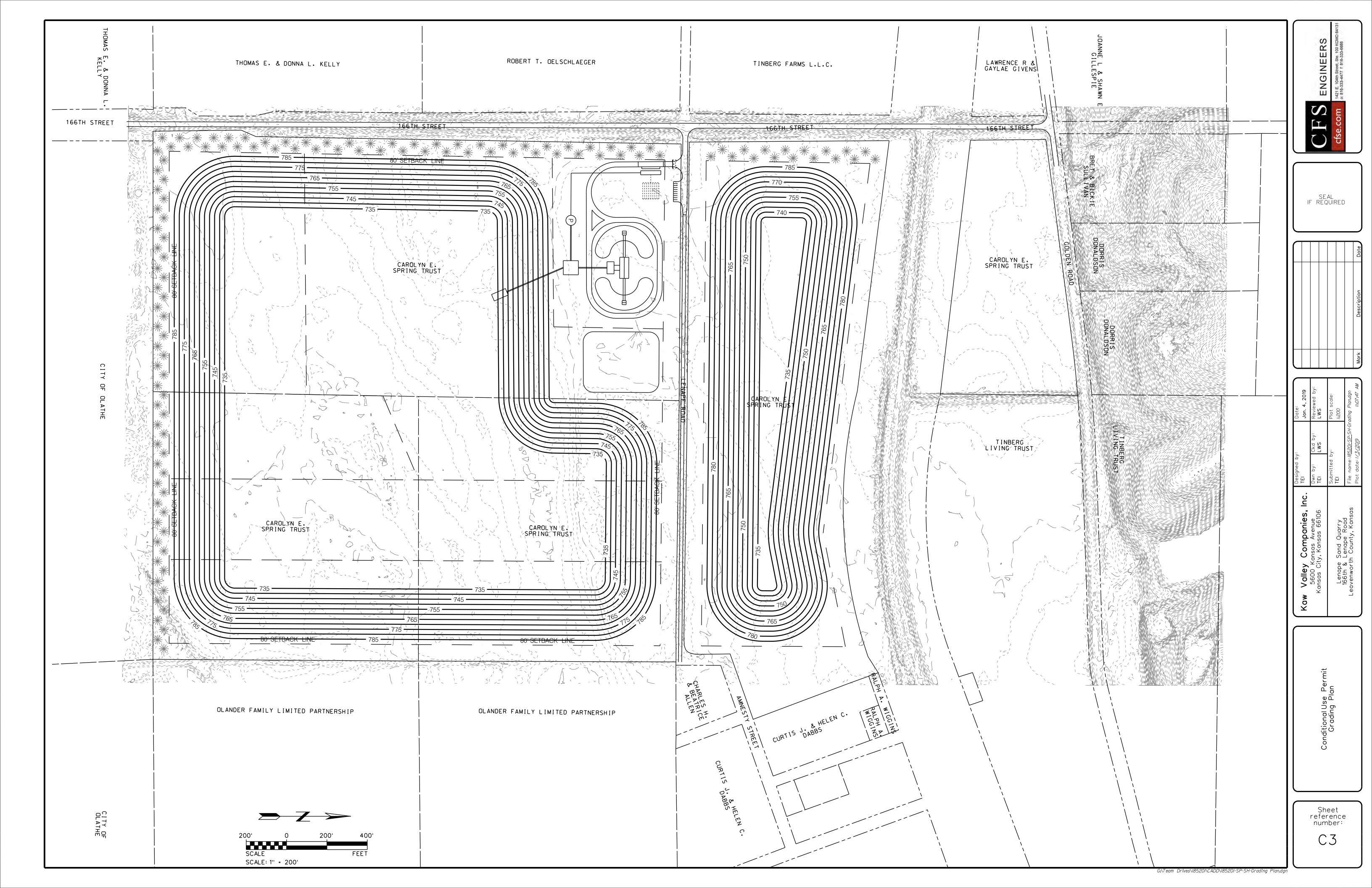
Sheet reference number:

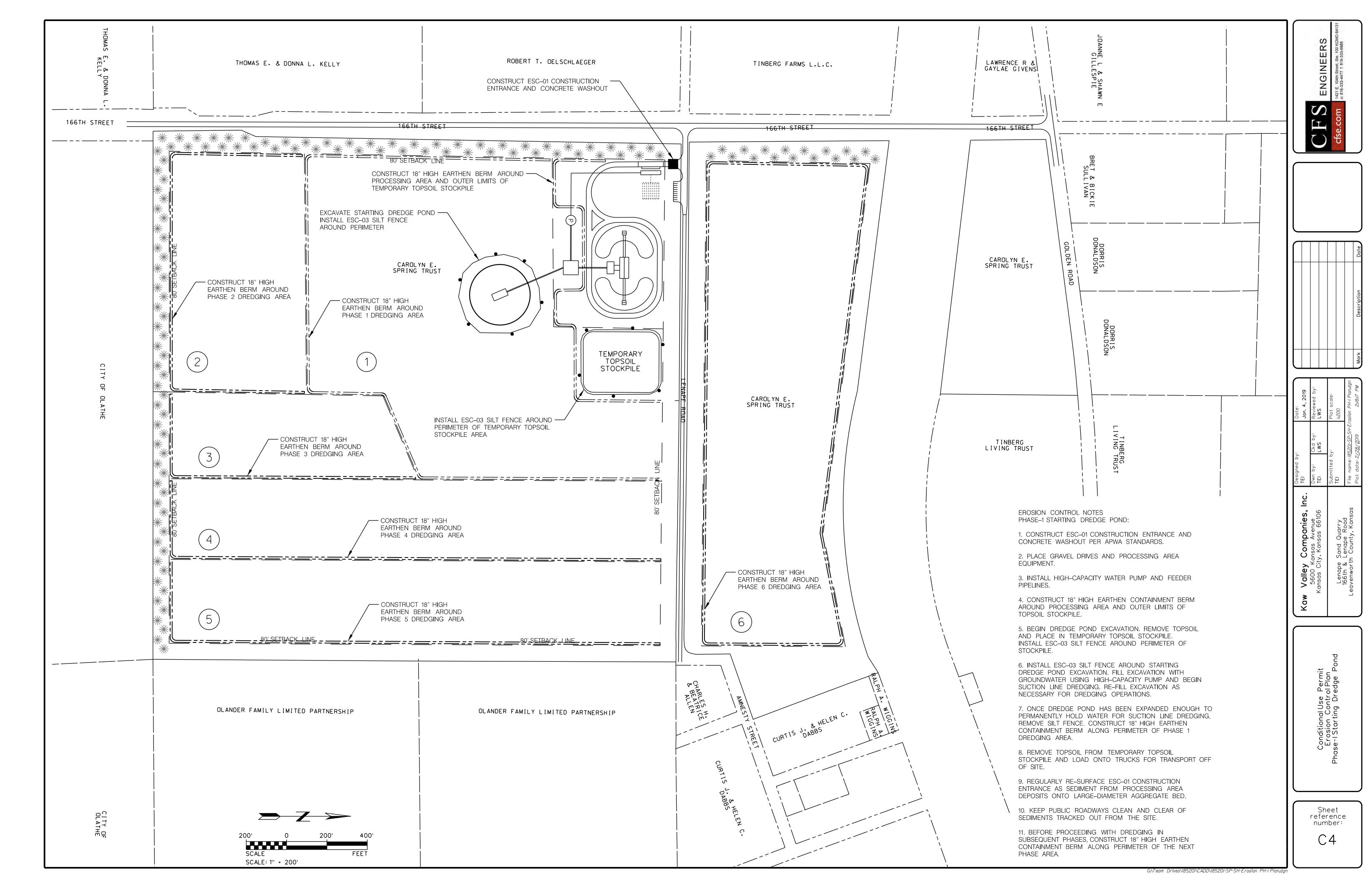
SCALE: 1" = 400"

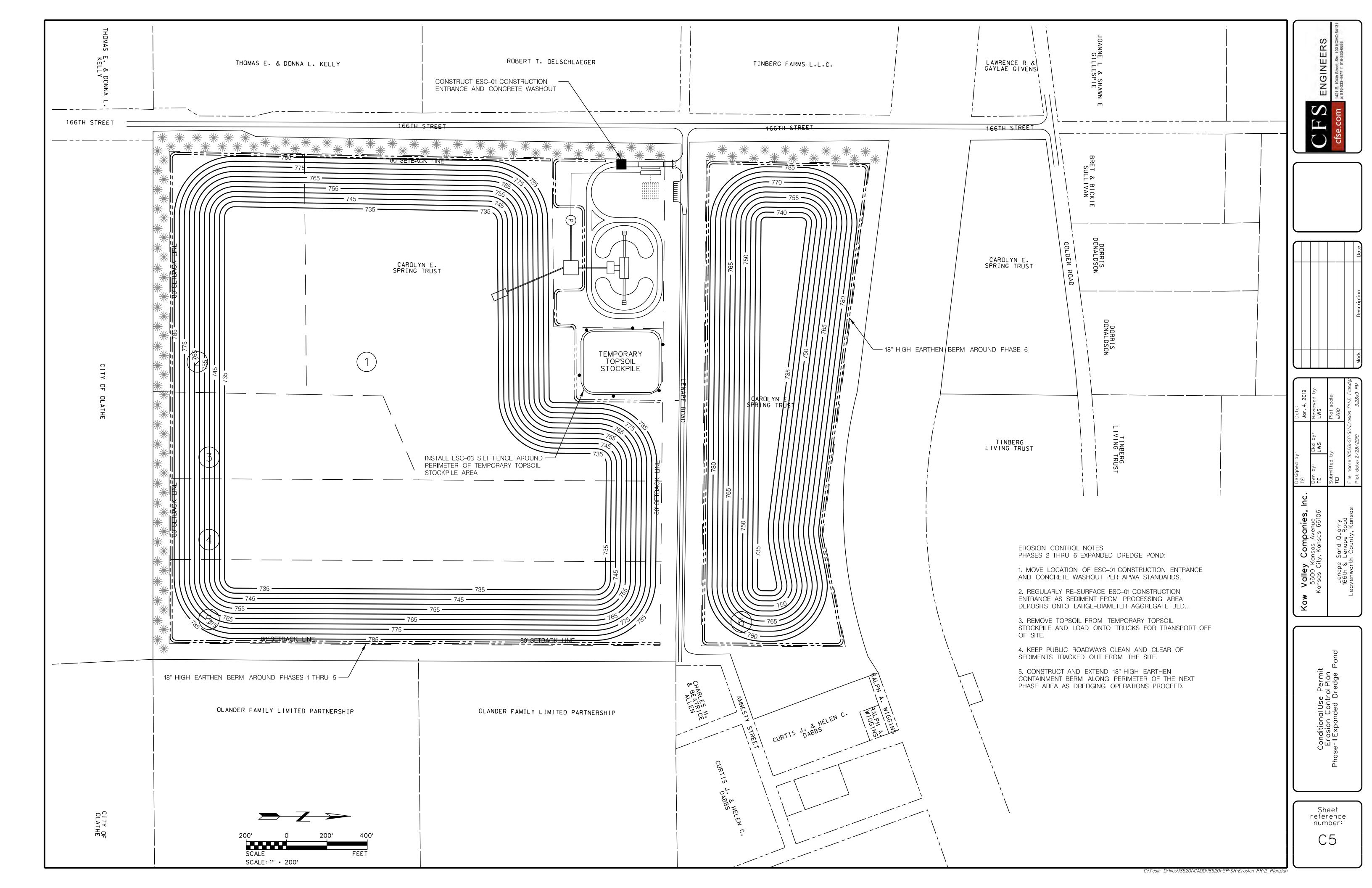


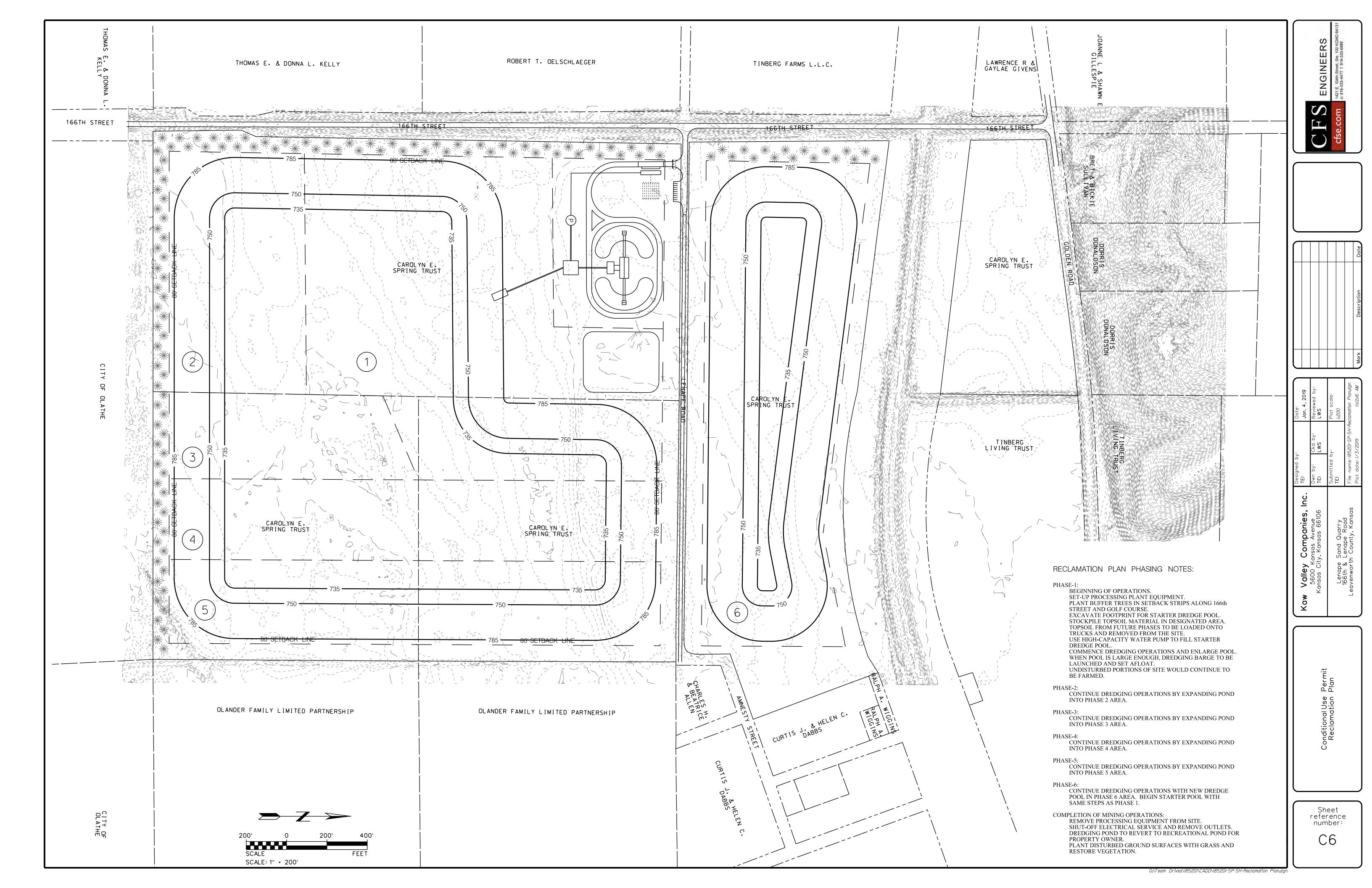


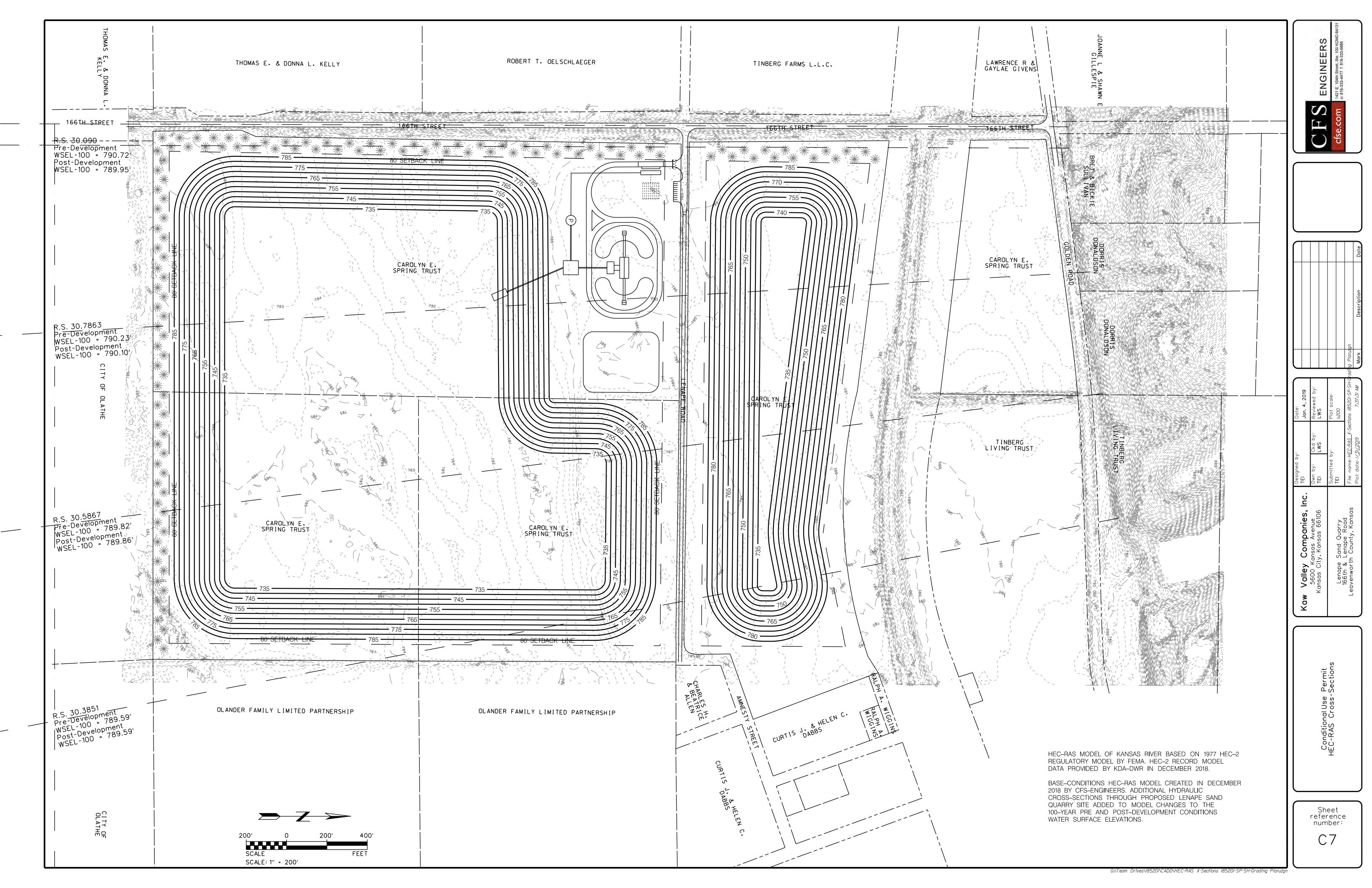
lley Companies, Inc.	TEI		Jan. 4, 2019
,00 Kansas Avenue	Dwn by: Ckd by:	Ckd by:	Reviewed by:
as City, Kansas 66106	TEI LWS	LWS	LWS
anape Sand Quarry	Submitted by: TEI	у:	Plot scale: <i>1:200</i>
orn & Lendpe Road	File name: <i>18<u>520/-SP-</u></i>	File name: <i>18<u>5201-SP-</u>SH-Site Plan.dgn</i>	e Plandgn
nworth County, Kansas	Plot date: <i>1/_<u>30/_20</u>19</i>	Plot date: <i>1/<u>30/29</u>19</i>	3:41:50 PM

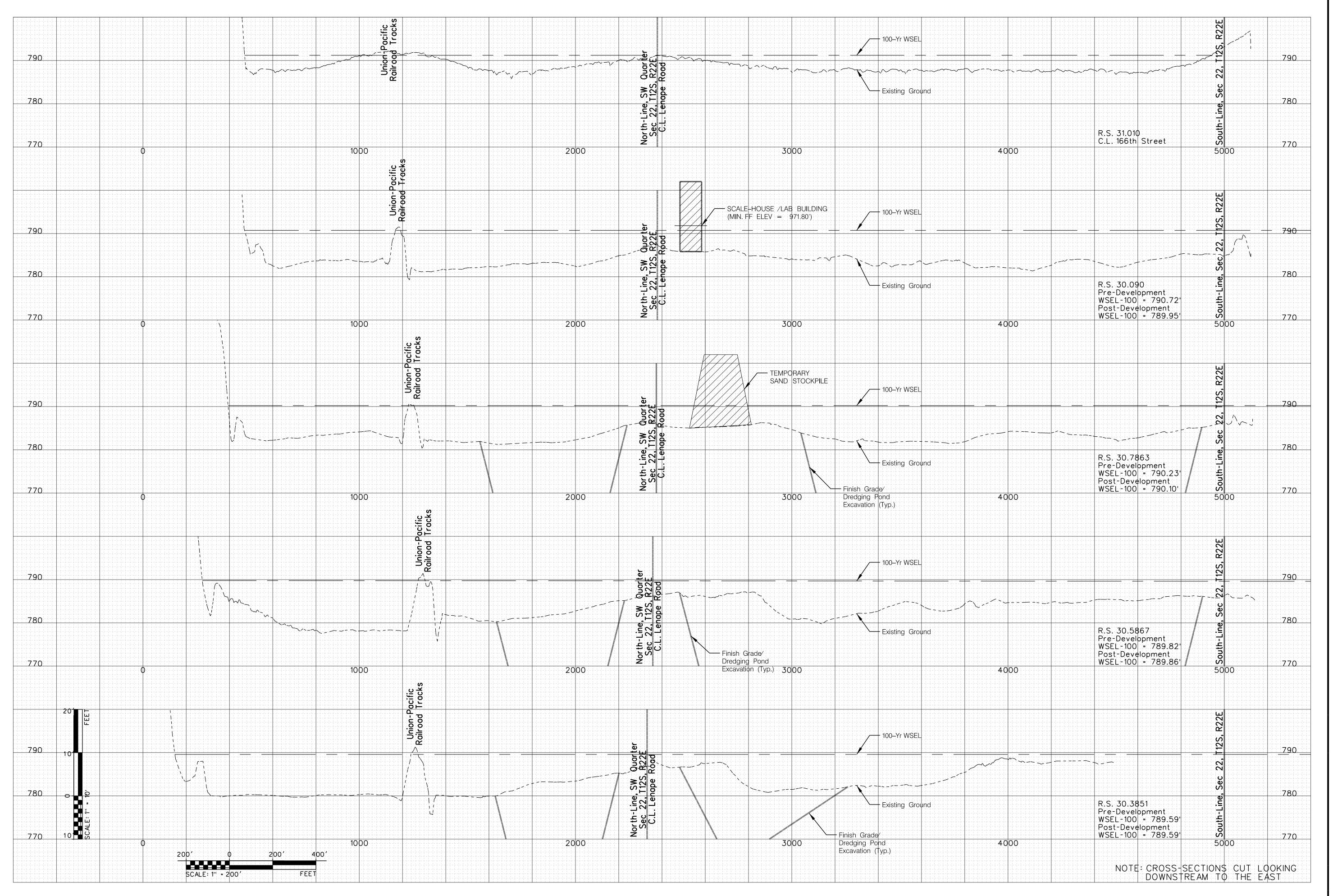


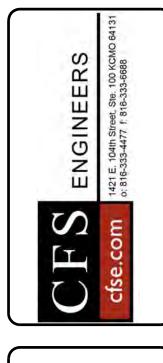


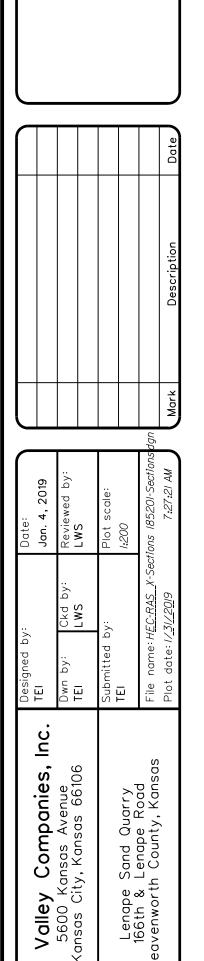












Conditional Use Permit HEC-RAS Cross-Section Cuts

Sheet reference number:

APPENDIX C KDHE NPDES General Permit for Construction Activities



One Vision. One Team. One Call.

LETTER OF TRANSMITTAL

1421 E. 104th Street, Suite 100 | Kansas City, MO 64131 | o:816.333.4477 | f:816.333.6688

6 11 14	h 0 5		DATE: 01-14-19	PROJECT NO.: #18-5201		
f Water, Ind Jackson, Sui	ustrial Prog		SUBJECT: Lenape Sand Quarry 166th & Lenape Road Leavenworth County, Kansas			
ION: Larry l	Hook, PE		NOI-NPDES Land D	isturbance Permit		
SENDIN	G YOU:		VIA:			
nder Separate			✓ U.S.P.S. □ Courier S □ Picked U □ Hand De □ Parcel P	p		
SHEETS	DATED	DESCRIP	ΓΙΟΝ			
C1 - C8	01-04-19	Lenape Sand Quarry, Conditional Use Permit Plan Set (Half-Size)				
		NOI-NPDES Land Disturbance Permit Application Form w/ \$60.00 Check for Review Fee				
		Location Map and Narrative Description of Proposed Use				
r Your Appr r Your Use Requested	coval	□ Re □ Fu	viewed rnish as Noted	Resubmit Copies for Review Submit Copies for Distributi Return Corrected Prints		
ld Quarry pro ed is a check	oject at 166th x for \$60.00 f	h & Lenape l for the review	Road in southern Leaveny	worth County (directly north of De Soto).		
		<u>y</u>	SIGNED): Thomas E. Ingram, PE		
	SENDIN tached ader Separate TEMS AR or Your Appror Your Use Requested or Review and TS: Larry production at the content of th	TEMS ARE TRANS or Your Approval or Your Use Requested or Review and Comment TS: Larry - Please find a ad Quarry project at 166tled information. Thanks - To	SENDING YOU: tached oder Separate Cover LLOWING ITEMS: SHEETS DATED DESCRIPTORY C1 - C8 01-04-19 Lenape Sand NOI-NPDI Review Fee Location Management Location Management Location Management Review and Comment TEMS ARE TRANSMITTED: The Requested Requested Requested Requested Requested Reprint Review and Comment Review and Comment Location Management Review and Comment R	SUBJECT: Lenape San 166th & Lenape Road Leavenworth County, NOI-NPDES Land D SENDING YOU: Itached		



NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities
In accordance with the Kansas Water Pollution Control General Permit
Under the National Pollutant Discharge Elimination System (NPDES)

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under the Kansas Water Pollution Control general permit, or KDHE issued successor permits, issued for stormwater runoff from construction activities in the State of Kansas. Becoming a permittee obligates the discharger to comply with the terms and conditions of the general permit. Completion of this NOI does not provide automatic coverage under the general permit. Coverage is provided and discharge permitted when the Kansas Department of Health and Environment (KDHE) authorizes the discharge of stormwater runoff from the construction activities identified on the NOI and supporting documentation. A signed and dated copy of the first page of the NOI indicating the Authorization will be provided to the owner or operator, or all three pages for Conditional Authorizations. Upon authorization of the construction activity discharge, a Kansas permit number and a Federal permit number will be assigned to the construction project. A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed (see listing on Page 3 of this NOI). KDHE will notify owners or operators whose Notice of Intent (NOI) and supporting documentation for Authorization of stormwater runoff associated with construction activities are incomplete, deficient, or denied.

Please Print or Type.

I. C	W	NER OR OPERATOR ADDRESS, BILL	ING, CONTACT & RECO	RDS LC	OCATION INI	FORMATION		
A	۱.	Owner or Operator's Name: <u>Dan Hays</u> ,	General Manager	С.	Contact Nam	e:		
		Company Name: Kaw Valley Compa	anies, Inc		Company Na	me:		
		Owner or Operator's Phone: (913) 281-9	9950		Contact Phon	e:		
		Mailing Address: <u>5600 Kansas Aver</u>	nue		Mailing Addı	ess:		
		City: Kansas City	State: <u>KS</u> Zip: <u>66101</u>		City:		State:	Zip:
		E-mail Address (optional): danh@kvcc	o.net		E-mail Addre	ess (optional):		
Е	3.	Billing Contact Name:		D.	Address when	e records will b	e kept (if not	on-site):
	Billing Contact Phone:				Records Add	ress:		
Billing Address (if different):			City:		State:	Zip:		
	City: State: Zip:							
		E-mail Address (optional):						
II. S	IT				☐ Modification of Existing Permit Authorization			
A	۱.							
		Site Address: 166th & Lenape Road			QTR	fQTR of SW QTR Section: 22		
		City: De Soto (Nearest City to Project)	State: KS Zip: 66018					
		(Nearest City to Project) County:		Latitude: 38D-59'-20", Longitude: -94D-57'-35"				
		cial Use Only:		Deg. Min. Sec. Deg. Min. Sec.				
Rece	21V	ed	Amount Paid:					
			Date:			Reviewer		
			Initials:				□ Y; □ N	
Check No.:				Is Authorization Conditional? \square Y; \square N				
Authorized by:					(if yes, see pa		,	
Secr	eta	ry, Kansas Department of Health and Enviro	nment		Date			
KSE	KS Permit No.:			Federal Permit No.:				

Send completed 3 page NOI form with original signature and all appropriate submittals (see page 3 of NOI) to:

Kansas Department of Health and Environment Bureau of Water, Industrial Programs Section 1000 SW Jackson, Suite 420 Topeka, KS 66612-1367 Note: A copy of the permit can be obtained at: www.kdheks.gov/stormwater or by submitting a written request to KDHE.

KDHE Contact Information:

Phone: (785) 296-5545

E-mail: kdhe.stormwater@ks.gov

Project Name: Lenape Sand Quarry Notice of Intent (NOI) EXISTING CONDITIONS/USES Is any part of the project located on Indian Country land? □ Y; **X**N If yes: Contact EPA regarding discharging stormwater runoff from industrial activities on Indian Country land. 2) If stormwater runoff drains to or through a Municipal Separate Storm Sewer System (MS4): MS4 Name: Name of the first receiving water, stream, or lake: Kansas River , River Basin: Kansas River 3) 4) Are contaminated soils present on the site or is there groundwater contamination located within the site boundary? □ Y; N If yes: On separate paper describe in detail the locations and concentrations of the contaminants. 5) Are there any contaminated soils that will be disturbed or any contaminated groundwater that will be pumped by the proposed □ Y; XN construction activity? If yes: On separate paper describe the special procedures and erosion and sediment control measures to be implemented to eliminate or minimize the potential to discharge the soil and/or groundwater contaminants. 6) Are there any surface water intakes for public drinking water supplies located within ½ mile of the site discharge points? $\square Y; X N$ Are there any known historical or archeological sites present within the site boundary or any historic structures located within 7) □ Y; X N 1000 feet of the project site? **Note:** Include documentation of project-specific coordination with the Kansas Historical Society in making this determination. Is any threatened or endangered species habitat located within the site boundary or in the receiving water body? □ Y; XN Include documentation of project-specific coordination with the Kansas Department of Wildlife, Parks & Tourism in making this determination. 9) Will the project impact the line or grade of a stream or does it include dredge or fill of a potential jurisdictional water body or $\square Y; X N$ If yes: Include documentation of project-specific coordination with the US Army Corps of Engineers and/or the Kansas Department of Agriculture, Division of Water Resources in making this determination. Are any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding National Resource Waters $\square Y; XN$ located within ½ mile of the facility boundary? If yes: List the names of all such areas and waters: Kansas River located 1/4 south of proposed sand quarry. PROJECT DESCRIPTION Project Description: 208.6 acre open-pit sand dredging quarry located at the southeast corner of 166th & Lenape 1) Road in southern Leavenworth County, Kansas. 2) Does this NOI include all proposed soil disturbing activities associated with the entire common plan of development? X Y; □ N If no: Explain what development areas of the site are not included in this NOI and provide contact information, if available, for the party or parties that own or have operational control of these areas: The site would have a 146 acre open lake for dredging sand deposits, which would also serve as a sediment basin for the site. Upon completion of mining activities, the lake would remain for recreation. Anticipated project Start Date: August 2019 , and Completion Date: August 2049 3) Estimated total area to be disturbed: 208.6 Acres Total area of the site: 224 4) 5) Do you plan to disturb ten or more acres that are within a common drainage area? **⋈** Y; □ N If yes: Will a sedimentation basin be installed in that drainage area? (Attach design calculations for each sedimentation basin.) \square Y; \square N If a sediment basin is not feasible, on a separate sheet describe similarly effective erosion and sediment control measures to be implemented in lieu of a sedimentation basin. Ε. Maps Include an area map showing the outline of the construction site and the topographic features of the area at least one mile beyond the project site. EROSION CONTROL PLAN AND BEST MANAGEMENT PRACTICES

- Provide a summary of the sequence of major soil disturbing activities including installation of the corresponding stormwater management and pollution control features.
- 2) Provide one or more site plans covering the anticipated soil disturbing activities showing the limits of disturbance, the existing and proposed elevation contours, the types and locations of erosion/sediment control measures and stormwater management/pollution control features during each phase of construction and the locations where stormwater runoff leaves the construction site.

Projec	t Na	me: Lenape Sand Quarry		Notice of Intent (NOI)				
	3)		t practices to be utilized to control erosion and the design calculations for each sediment basinume flow outlet device.					
	4)		ion Number of the engineer, geologist, architect er which the construction stormwater pollution pr	et, landscape architect, or Certified Professional in prevention plan has been developed.				
		Thomas E. Ingram, PE	KS PE 11261	Civil Engineer				
		Name	License or Certification Number	Profession or Field (Engineer, Architect, etc.)				
III. A	NN	UAL FEE						
	f	"KDHE". Per K.A.R. 28-16-56, as amended, t fee will be sent to the contact person requesting a	the current annual permit fee for this general a permit until such time as the permittee submits nation of the construction stormwater discharge A	` '				
IV.	(OWNER OR OPERATOR CERTIFICATION	NS					
	ir ti	in this NOI and supporting documentation. I furthe NPDES general permit for Stormwater Runof I understand that continued coverage under the	rther certify that the plan will be implemented at off from Construction Activity, will revise the SW	f from Construction Activities is contingent upon				
	I d v k	I certify under penalty of law that this document a designed to assure that qualified personnel prope who manage the system, or those persons direct	and all attachments were prepared under my directly gather and evaluate the information submitteetly responsible for gathering the information,	rection or supervision in accordance with a system ted. Based on my inquiry of the person or persons the information submitted is, to the best of my ies for submitting false information, including the				
	Ē	Signature (owner or operator)	Date					
		Name and Official Title (Please print or type. Form with original signature must be sent to KDHE.)						
		s of Authorization - For Official Use Only:						
When	ındı	cated, Conditions of Authorization are as follows	s:					
	-							
	-							
	-							
	_							
	_							

A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed. A complete request for Authorization includes:

- An NOI form (construction stormwater) with an original authorized signature;
- The annual permit fee for the first year; (\$60.)
- An area map showing the outline of the construction site and the general topographic features of the area at least one mile beyond the project site boundary;
- Sequence of major soil disturbing activities including installation of stormwater management and pollution control features;
- A detailed site plan/plans showing the limits of disturbance, existing and proposed contours, erosion and sediment control features, locations where stormwater runoff leaves the construction site;
- A narrative summary of the additional erosion and sediment control and other best management practices that will be utilized to prevent or reduce contamination of stormwater runoff from the construction activities;
- Total drainage area, storage capacity and design calculations for each sedimentation basin; and
- Copies of letters or e-mails documenting coordination with appropriate local, state or federal agencies.

APPENDIX D KDHE NOI Authorization Documents



NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities In accordance with the Kansas Water Pollution Control General Permit Under the National Pollutant Discharge Elimination System (NPDES)

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under the Kansas Water Pollution Control general permit, or KDHE issued successor permits, issued for stormwater runoff from construction activities in the State of Kansas. Becoming a permittee obligates the discharger to comply with the terms and conditions of the general permit. Completion of this NOI does not provide automatic coverage under the general permit. Coverage is provided and discharge permitted when the Kansas Department of Health and Environment (KDHE) authorizes the discharge of stormwater runoff from the construction activities identified on the NOI and supporting documentation. A signed and dated copy of the first page of the NOI indicating the Authorization will be provided to the owner or operator, or all three pages for Conditional Authorizations. Upon authorization of the construction activity discharge, a Kansas permit number and a Federal permit number will be assigned to the construction project. A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed (see listing on Page 3 of this NOI). KDHE will notify owners or operators whose Notice of Intent (NOI) and supporting documentation for Authorization of stormwater runoff associated with construction activities are incomplete, deficient, or denied.

Effective August 1, 2017

rease trine of Type.						
OWNER OR OPERATOR ADDRESS, BII	LING, CONTACT & RECO	RDS LC	OCATION INFORMATION			
A. Owner or Operator's Name: Dan Hay	s, General Manager	C.	Contact Name:			
Company Name: Kaw Valley Con	panies, Inc		Company Name:			
Owner or Operator's Phone: (913) 28	1-9950		Contact Phone:			
Mailing Address: 5600 Kansas Av	enue		Mailing Address:			
City: Kansas City	State: KS Zip: 66101		City: State: Zip:			
E-mail Address (optional): danh@kv	co.net		E-mail Address (optional):			
B. Billing Contact Name:		D.	Address where records will be kept (if not on-site):			
Billing Contact Phone:			Records Address:			
Billing Address (if different):			City: State: Zip:			
City:	State: Zip:					
E-mail Address (optional):		1.1				
SITE INFORMATION, Type of Request:	☑ New Permit Authorization	□ Мо	odification of Existing Permit Authorization			
A. Project Name: Lenape Sand Quarr	у	В.	B. LEGAL SITE DESCRIPTION:			
Site Address: 166th & Lenape Road			QTR ofQTR of SW QTR Section: 22			
The second secon			Township: 12 South; Range: 22 ⋈ E □ W			
City: De Soto (Nearest City to Project)	State, 219 Zip.		Latitude: 38D-59'-20", Longitude: -94D-57'-35"			
r Official Use Only:			Deg. Min. Sec. Deg. Min. Sec.			
eceived RECEIVED	Amount Paid: (0.0	ر	1 1/11			
JAN 28 2019	Date: 2019-01		Reviewed . / from			
JAN 28 2013	Initials: (S		Authorized:- Authorized:- N Y; □ N			
BUREAU OF WATER	Check No.: 1204	77	Is Authorization Conditional? Y; N			
uthorized by:	CHECK THOM 100 1	()	(if yes, see page 3 of NOI for conditions)			
1			- / - / -			
Lee a. nomo	~ 200		3/13/19			
ecretary, Kansas Department of Health and Env			Date			
S Permit No.: 5-K512-004	9		Federal Permit No.: KSR114487			
nd completed 3 page NOI form with original			permit can be obtained at: www.kdheks.gov/stormwater			
d all appropriate submittals (see page 3 of NC			ing a written request to KDHE.			
ansas Department of Health and Environment areau of Water, Industrial Programs Section	Dhone: (795	1 206 55	ormation: * 5 tabilize disturbed aspa			
00 SW Jackson, Suite 420 peka, KS 66612-1367 with mule	E-mail: kdh	e.stormw	vateraks you 'n cluding topsoil stockpi			
5 tabilizing	activities of	in a	dellion to any seeding Complete			

with mulch or equivalent in addition to any se stabilizing activities Notice of Intent (NOI) for Discharge of Stormwater Ranoff from Gonsuporton Activities

oje	ct Nam	e: Lenape Sand Quarry Notice of In	tent (NOI)
c.	Exis	FING CONDITIONS/USES	
	1)	Is any part of the project located on Indian Country land? If yes: Contact EPA regarding discharging stormwater runoff from industrial activities on Indian Country land.	□ Y; XN
	2)	If stormwater runoff drains to or through a Municipal Separate Storm Sewer System (MS4): MS4 Name:	
	3)	Name of the first receiving water, stream, or lake: Kansas River , River Basin: Kansas River	
	4)	Are contaminated soils present on the site or is there groundwater contamination located within the site boundary? If yes: On separate paper describe in detail the locations and concentrations of the contaminants.	□ Y; N N
	5)	Are there any contaminated soils that will be disturbed or any contaminated groundwater that will be pumped by the proposed construction activity? If yes: On separate paper describe the special procedures and erosion and sediment control measures to be implemented to eliminate or minimize the potential to discharge the soil and/or groundwater contaminants.	□Y; XN
	6)	Are there any surface water intakes for public drinking water supplies located within ½ mile of the site discharge points?	UY; NN
	7)	Are there any known historical or archeological sites present within the site boundary or any historic structures located within 1000 feet of the project site? Note: Include documentation of project-specific coordination with the Kansas Historical Society in making this determination.	□ Y; M N
	8)	Is any threatened or endangered species habitat located within the site boundary or in the receiving water body? Note: Include documentation of project-specific coordination with the Kansas Department of Wildlife, Parks & Tourism in making this determination.	□ Y; XN
	9)	Will the project impact the line or grade of a stream or does it include dredge or fill of a potential jurisdictional water body or wetlands? If yes: Include documentation of project-specific coordination with the US Army Corps of Engineers and/or the Kansas Department of Agriculture, Division of Water Resources in making this determination.	□Y; X N
	10)	Are any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding National Resource Waters located within ½ mile of the facility boundary?	□Y;XN
		If yes: List the names of all such areas and waters: Kansas River located 1/4 south of proposed sand quarry.	
D.	PROJ	ECT DESCRIPTION	
	1)	Project Description: 208.6 acre open-pit sand dredging quarry located at the southeast corner of 166th &	Lenape
		Road in southern Leavenworth County, Kansas.	
	2)	Does this NOI include all proposed soil disturbing activities associated with the entire common plan of development?	MY; DN
		If no: Explain what development areas of the site are not included in this NOI and provide contact information, if available, for the party or parties that own or have operational control of these areas:	A.,
		The site would have a 146 acre open lake for dredging sand deposits, which would also serve as a	
		sediment basin for the site. Upon completion of mining activities, the lake would remain for recrea	ition.
	3)	Anticipated project Start Date: August 2019 , and Completion Date: August 2049	
	4)	Estimated total area to be disturbed: 208.6 Acres Total area of the site: 224 Acres	
	5)	Do you plan to disturb ten or more acres that are within a common drainage area?	XY; DN
		If yes: Will a sedimentation basin be installed in that drainage area? (Attach design calculations for each sedimentation basin.) If a sediment basin is not feasible, on a separate sheet describe similarly effective erosion and sediment control measures to be implemented in lieu of a sedimentation basin.	□ Y; □ N
E.	Мар	S TO THE RESERVE T	
	100	kala samana kanaka dan tahun 12 kamana mikan mengah kanana terbia kalama dikaman tahun dibib mengah mengah mela	at after

Include an area map showing the outline of the construction site and the topographic features of the area at least one mile beyond the project site.

EROSION CONTROL PLAN AND BEST MANAGEMENT PRACTICES

- Provide a summary of the sequence of major soil disturbing activities including installation of the corresponding stormwater management and 1) pollution control features.
- Provide one or more site plans covering the anticipated soil disturbing activities showing the limits of disturbance, the existing and proposed elevation contours, the types and locations of erosion/sediment control measures and stormwater management/pollution control features during each phase of construction and the locations where stormwater runoff leaves the construction site.

Project Na	ame: Lenape Sand Quarry		Notice of Intent (NOI)
3)	Provide a description of the best management stormwater runoff throughout construction capacity below the elevation of the mass vo	ent practices to be utilized to control erosion and t and the design calculations for each sediment bas olume flow outlet device.	the discharge of sediment and other pollutants in including total drainage area and storage
4)	Provide the name and License or Certifica Erosion and Sediment Control (CPESC) un	ation Number of the engineer, geologist, architecture which the construction stormwater pollution p	et, landscape architect, or Certified Professional in prevention plan has been developed.
	Thomas E. Ingram, PE	KS PE 11261	Civil Engineer
	Name	License or Certification Number	Profession or Field (Engineer, Architect, etc.)
III. ANN	NUAL FEE		
	"KDHE". Per K.A.R. 28-16-56, as amended	nual permit fee specified in K.A.R. 28-16-56 ed, the current annual permit fee for this generate a permit until such time as the permittee submit	t seq. as amended. Make the check payable to all permit is \$60. An invoice for the annual permit is a Notice of Termination (NOT).
	Failure to pay the annual fee will result in tern	mination of the construction stormwater discharge	Authorization.
IV.	OWNER OR OPERATOR CERTIFICATION	IONS	
	in this NOI and supporting documentation. It	ollution Prevention Plan (SWP2 Plan) will be or has further certify that the plan will be implemented a moff from Construction Activity, will revise the S	s been developed for the construction site described at the time construction begins, and, as required by WP2 plan if necessary.
	I understand that continued coverage under the maintaining eligibility as provided for in the re-	the NPDES general permit for Stormwater Runof requirements and conditions of the general permit,	f from Construction Activities is contingent upon and paying the annual fee.
	designed to assure that qualified personnel pro	operly gather and evaluate the information submit irectly responsible for gathering the information.	rection or supervision in accordance with a system ted. Based on my inquiry of the person or persons, the information submitted is, to the best of my ties for submitting false information, including the
	(1) Mon!	100	11. 2.12
	Signature (owner or operator)	Date	16-2019
	~ 1/	neral Manager	
		Form with original signature must be sent to I	KDHE.)
Conditio	ns of Authorization - For Official Use Only:		
12.01 - F 10.0 ·	licated, Conditions of Authorization are as follo		

A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed. A complete request for Authorization includes:

- · An NOI form (construction stormwater) with an original authorized signature;
- The annual permit fee for the first year; (\$60.)
- An area map showing the outline of the construction site and the general topographic features of the area at least one mile beyond the project site boundary;
- · Sequence of major soil disturbing activities including installation of stormwater management and pollution control features;
- A detailed site plan/plans showing the limits of disturbance, existing and proposed contours, erosion and sediment control features, locations where stormwater runoff leaves the construction site;
- A narrative summary of the additional erosion and sediment control and other best management practices that will be utilized to prevent
 or reduce contamination of stormwater runoff from the construction activities;
- Total drainage area, storage capacity and design calculations for each sedimentation basin; and
- Copies of letters or e-mails documenting coordination with appropriate local, state or federal agencies.

Lenape Sand Quarry
Written Narrative Description of Proposed Use for Special Use Permit
03-13-19

<u>General:</u> Kaw Valley Sand & Gravel proposes to operate a sand mining operation at 166th & Lenape Road in rural southern Leavenworth County, Kansas. The site contains approximately 220 acres and is located directly north of the Burning Tree Golf Club. The facility would be a surface mining operation to quarry and stockpile sand from the underlying deposits.

<u>Hours of Operation:</u> 6:30 am to 6:30 pm, Monday thru Friday. Saturday work may be warranted during peak demand season.

Traffic Routes and Expected Traffic Volumes: Traffic would primarily use County Route 2 (166th Street, Golden Road and 158th Street), Loring Road and K-32 Highway. KDOT's January 2018 Traffic Count Map for the Metropolitan Kansas City Area showed that 166th Street had an AADT of 2845 vpd, and Golden Road and 158th Street had AADT's of 1220 vpd. The site would have 3 regular employees for the sand dredging and processing operations. The amount of truck trips generated by the site would vary seasonally, depending on weather and construction demand. It was anticipated that the site would produce 5000 tons of sand during a regular day's operation, and as many as ten to fifteen trucks per hour could enter and then exit the site during regular production periods. The site would include a weight scale to check outgoing trucks and ensure that the vehicles did not exceed allowable weight limits on the roadways.

<u>Staffing Levels:</u> The site would have 3 regular employees for the sand dredging and processing operations. Various service and maintenance personnel would visit the site on a non-regular basis for equipment and machinery maintenance.

Method of Operations: The sand dredging operations would be self-contained on the site. Work would commence at 6:30 am and end at 6:30 pm. The following outline shows the different tasks that would be performed as part of the plant's daily routine:

- 1. During the early stages of operation, the high-capacity water pump would flood the dredging pool. After the excavation work has advanced, groundwater would fill the excavation pit like a pond.
- 2. A dredge line would begin vacuuming material into a slurry pipeline that would feed into the industrial aggregate washer.
- 3. The industrial aggregate washer would separate and remove the sediments from the sand material. The sand would be pumped through a second slurry pipeline to the separator/consolidator.
- 4. The separator/consolidator would grade the sand into coarse and fine materials. Two rotating conveyor belts would radiate out from the separator/consolidator and deposit the graded sand onto two half-donut shaped stockpiles. Surplus sand may also be stockpiled near the main entrance at 166th & Lenape Road.
- 5. A loader would scoop sand material and load it into trucks for weighing and transport to Kaw Valley's Edwardsville processing plant, or to other aggregate/concrete companies locations.

<u>Off-Street Parking:</u> There would be an 8-space head-in parking area off of Lenape Road. Lenape is a low-volume gravel farm road, and the site would have 3 regular employees.

<u>Timeline for the Special-Use Permit Request:</u> Kaw Valley anticipates that the Lenape Sand Quarry could operate for twenty years, depending on the level of demand for the company's sand products. The plant would be open and operational year-round with variation in seasonal production. Since the company's primary customers are construction related, spring, summer and fall would be the busiest periods with demand falling off during the colder winter months.

<u>Site Suitability for Proposed Land Use:</u> The proposed site is ideal for use as a sand quarry. The location is isolated from residential areas, there are adequate roadways to accommodate the small volume of traffic the facility would generate, and the site is located a quarter mile off of the river and would avoid direct in-river dredging or discharge of drainage. The only utility lines are Westar's overhead electrical lines along 166th Street. The site has sand deposits extending 50 ft below ground surface. As part of the reclamation plan, the high groundwater levels would form a pond over the excavation area that could be used for fishing and recreation.

<u>Pollution Concerns:</u> The site would be a zero point discharge operation with the proposed dredge pond serving as a sedimentation basin to trap erosion and sediments to prevent them from flowing into the Kansas River. The surrounding terrain consists of flat agricultural fields and there are no major creeks or drainage-ways flowing through the site. The surface mine would be a large open-pit that would form into a lake with the advent of high ground water levels, and would also act as a sediment basin to hold sediments and keep them from washing into the Kansas River. There would be no hazardous chemicals stored on site or used in the sand production process. Kaw Valley is also considering going with all electric production equipment to minimize the use of diesel fuel and oil. All lubricants for the site's equipment and machinery would be non-toxic and biodegradable.

<u>Restoration of the Site:</u> Once the sand quarrying operations have been concluded at the site, the existing excavation pit would fill with ground water to serve as a lake for the property owners. The lake would provide private recreation for fishing and swimming, and would serve as a refuge for the local wildlife.

Noise Control: An analysis of potential noise generated by the mobile equipment and the stationary processing machinery on the proposed Lenape Sand Quarry indicated that at the center of operations, the site would generate a composite 97.3 dBA. This figure was based on noise generation levels given in the Federal Highway Administration's Construction Noise Handbook, Chapter 9, Construction Equipment Noise Levels and Ranges. The 97.3 dBA noise level was calculated assuming three dump trucks were in queue on the site along with a front end loader, a high-capacity water pump, a dredge line unit, an industrial aggregate washer, and a separator/consolidator unit were all in operation. Also included was a high-pitched back-up beeper for trucks and heavy construction equipment. Calculations were further done to analyze the reduction in noise over distance which showed that the volume level would drop to 85.2 dBA at a distance of 200 ft, to 68.8 dBA a quarter mile away, and to 62.8 dBA a half mile away. A 65 dBA noise control level is desired for an Industrial zone during daylight hours. 60 dBA is the approximate noise level for speaking in a normal conversation tone.

The Burning Tree Golf Club abuts the property to the south. The processing area with the pumps, the consolidator/separator, loader and the dump trucks would be located approximately half a mile away off the corner of 166th & Lenape. To help buffer noise from the plant, an 80' wide setback strip along the site's southern boundary with the golf course would be planted with trees.

To help mitigate noise from the site, the following measures would be taken in the planning and operation of the site:

- The stationary processing equipment would be installed near the southeastern corner of 166th & Lenape to be approximately one half mile north of the golf course.
- A line of trees would be planted along the site's southern boundary with Burning Tree Golf Club
 to help buffer noise from the mining operations. Native species of deciduous and coniferous
 trees would be used to ensure that they would root and prosper.
- Processing equipment would be turned off when not in use.
- Processing equipment would be kept well-maintained with regular lubrication to keep the workings as quiet as possible.
- Work activity could be scheduled to build-up a stockpile of surplus of material late in the afternoon so that processing equipment can be left off during the early morning hours.
- Trucks and construction vehicles would be equipped with mufflers, and back-up beepers would be toned down to the lower allowable limits.
- Truck drivers would be ordered to avoid the use of Jake brakes when traveling on down-grades.
- Kaw Valley is reviewing the options for using electrical power for the dredge line, industrial aggregate washer and the separator/consolidator, as opposed to units requiring diesel fuel. Electrical units would operate with much less noise and maintenance, would not need to be constantly supplied with gasoline or diesel fuel, and would not have the environmental spill containment requirements of their petroleum powered counter-parts.

<u>Dust Control</u>: The newly dredged sand would be moist and have a relatively high water content which would make it less susceptible to wind erosion. If stockpiled sand is left in place over long periods and dries-out, the site would have a water truck which would be used to spray water onto stockpiles of sand, soil or aggregate to control windblown dust generation. The sprayed water would react with the surface material to form a protective crust on the surface and make it resistant to wind erosion.

Erosion Control and Good Housekeeping Practices: Dry methods of cleaning equipment would be utilized to prevent waste and sediment from being "tracked out" onto the streets. This would include large-aggregate lined construction entrance driveways which act to shake and knock soil and mud off of vehicles. In addition, vehicles/equipment would be washed periodically off-site to remove any of these materials from the vehicles/equipment. Silt fence would be utilized around temporary topsoil stockpiles to stabilize the ground and prevent sediment from the material from being washed back into the dredging pond. Areas disturbed by construction activity shall be stabilized with mulch or equivalent stabilization measures within 14 days after soil disturbing activities have ceased and will not resume for more than 14 days. This included the topsoil stockpile area and any project areas that are being seeded. Disturbed ground not designated to become part of the permanent lake formed from the dredging pond upon completion of the mining operations would be planted with grass and native vegetation. Inspections of the containment berms and erosion control features including the silt fencing and large-aggregate lined construction entrance driveways, shall be performed at least once every 14 days and also after each ½" or greater rainfall event.

<u>Sediment Basin:</u> The proposed dredging ponds would also serve as a large sediment basins for storing runoff from the surrounding fields. The southern dredging pond south of Lenape Road would be used for the Phase 1 thru Phase 5 mining stages, and at full excavation would have a surface area of approximately 114 acres and a storage depth of approximately 50 ft. The northern dredging pond north

of Lenape Road would be used for the Phase 6 mining stage, and at full excavation would have a surface area of approximately 38 acres and a storage depth of approximately 50 ft. The existing grid-roads running along the section, and quarter-section lines are raised relative to the agricultural fields and act as berms to contain runoff and preventing it from crossing over onto the neighboring fields. The existing under-bedding is also an alluvial overbank area, which allows for the ready absorption of stormwater runoff into the underlying groundwater table and on to the Kansas River under-bed.

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

FEBRUARY 26, 2019

CAROLYN E SPRING TRUST 425 CRESCENT CIRCLE ALBERT LEA MN 56007

Dan Hays Kaw Valley Companies Inc 5600 Kansas Ave Kansas City, KS 66106

Re:

Proj. No.: Lenape Sand Quarry

Floodplain Fill Kansas River

Leavenworth County

WSN: LLV-0151, Notice No.: 2019021

To Whom It May Concern:

Consideration has been given to your application for a permit and approval of plans relating to the placement fill for a sand plant along the Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

In accordance with the provisions of K.S.A. 24-126, the Chief Engineer has approved the plans and issued the enclosed approval of application, authorizing construction of the proposed project. Please note the approval conditions on the reverse side of the approval document. Condition No. 9 requires the owner to notify this office within 30 days after the project is completed. A Notice and Proof of Completion form is enclosed for this purpose. Other special conditions have been added to limit the removal of timber and vegetation, to prohibit the introduction of toxic or deleterious materials into the watercourse, and to require the project meet the floodplain management requirements of the community.

The one set of plans submitted to this office has been endorsed with the Chief Engineer's approval and will be retained in our files. Should you desire any copies of the plans with the Chief Engineer's approval shown thereon, please submit the required number.

Comments about this proposed project were received from several agencies during the environmental review process. Copies of the letters with recommendations from the environmental review agencies are enclosed for your information.

Carolyn E Spring Trust

WSN: LLV-0151, Notice No.: 2019021

Page 2

The work has been authorized to be completed on or before July 1, 2022. Approval for construction of this project will expire on that date unless the time is subsequently specifically extended by the Chief Engineer. Any desired extension of time should be requested in writing approximately 30 days prior to the expiration date.

Sincerely,

Janelle Phillips, P.E.

Water Structures Program

(785) 564-6656

Enclosure

pc: Thomas E Ingram- Cook Flatt & Strobel (CFS) Engineers Pa

Jeff Joseph- Leavenworth County FPA

KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION NO. LLV-0151

K.S.A. 24-126

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, by virtue of the powers and duties imposed by K.S.A. 24-126, hereby issues this approval to Carolyn E Spring Trust and Kaw Valley Companies, Inc., giving his consent to the placement fill for a sand plant along the Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

All work authorized by this approval shall be performed in accordance with the maps, plans, profiles and specifications filed with the application and approved by the Chief Engineer, and in accordance with plans for any changes or modifications subsequently approved by the Chief Engineer subject to the provisions of the aforementioned statute, its regulations and the attached approval conditions.

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APPROVAL CONDITIONS

- 1. This approval grants no water rights nor other property rights, nor does it authorize any injury to private property, invasion of private rights nor impairment of senior water rights, nor does it exempt the applicant from obtaining consent from appropriate federal, state or local government.
- 2. The work shall at all times be subject to supervision and inspection by representatives of the Division of Water Resources.
- 3. No changes in the work, maps, plans, profiles and specifications as approved shall be made except with the written consent of the Chief Engineer.
- 4. Any work authorized by this approval will be maintained in a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
- 5. The clearing of trees, brush, drift and other debris, in order to maintain the work substantially in accordance with the approved plans is hereby authorized, except that the removal of plantings made specifically for habitat or environmental mitigation is not authorized by this approval.
- 6. Any excess material deposited in the stream channel incidental to the construction and maintenance of the project authorized by this approval shall be removed and the channel restored to a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
- 7. All areas disturbed by construction or other exposed soil areas shall be seeded and maintained with a mixture of grass or other vegetation appropriate to the soils, climate and project in order to minimize erosion and protect the project integrity.
- 8. If the work is not completed on or before the 1st day of July, 2022, this approval, if not specifically extended, shall cease and be null and void. If, upon the expiration or revocation of the approval, the work has not been completed, the applicant shall, at his own expense and to such extent and in such time and manner as the Chief Engineer may require, remove all or any portion of the uncompleted work and restore the watercourse to a satisfactory condition. No claim shall be made against the State of Kansas on account of any such removal or alteration.
- 9. Within thirty (30) days after the completion of the work authorized in this approval, the applicant shall file with the Division a statement that the work has been performed in accordance with this approval and the approved maps, plans, profiles and specifications.
- 10. The Chief Engineer reserves the right to require such changes in the maps, plans, profiles and specifications as may be considered necessary. The Chief Engineer further reserves the right to modify, suspend or revoke this approval at any time, should the applicant fail to comply with any of the conditions of this approval or regulations of the Division without sufficient cause or should such action be deemed necessary in the interest of public safety and welfare.
- 11. That the clearing of timber and vegetation is restricted to the absolute minimum required to accomplish the work and not interfere with the beneficial use of project.
- 12. No deleterious or toxic materials shall be introduced into the watercourse or reservoir by runoff, leaching or disposal during or in connection with the work authorized by this permit.

13. The project must meet the floodplain management requirements of the community.

STATE OF KANSAS DIVISION OF WATER RESOURCES DEPARTMENT OF AGRICULTURE

In the matter of:	Water Structure No. LLV-C Carolyn E Spring Trust/ Ka Floodplain Fill Kansas River Leavenworth County Proj. No.: Lenape Sand Qu NOTICE AND PROOF K.S.A. 24	w Valley Companies arry OF COMPLETION	s Inc.
То:	CHIEF ENGINEER DIVISION OF WATER RESOL KANSAS DEPARTMENT OF A 1320 RESEARCH PARK DR MANHATTAN KS 66502		
for floodplain fill alor of Section 22, Towns that the work accordance with suc	,	tion in the N 1/2 of t , Leavenworth Coun have been rtify that these work	the NW 1/4 of the SW 1/4 aty, Kansas, hereby certify completed as of as have been completed in
I understand t some future date.	hat an end-of-construction in	nspection will be co	nducted by your office at
Dated this	day of	•	20
	Signature:		

Name:

(Please Print)

Address:

Telephone No:



DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT 635 FEDERAL BUILDING 601 E. 12TH STREET KANSAS CITY, MISSOURI 64106-2824

February 14, 2019

Regulatory Branch (NWK-2018-1458)

Mr. David Flick Terra Technologies 6240 West 135th Street, Suite 100 Overland Park, Kansas 66223

Dear Mr. Flick:

This letter is in response to an application you submitted, on behalf of Kaw Valley Companies, requesting a Department of the Army permit. The proposed project involves sand dredging within an identified 155 acre tract of land along the Kansas River. The project site is located in Section 22, Township 12 south, Range 22 east, Leavenworth County, Kansas.

We circulated a public notice describing your activity and received the enclosed comments for your information. In addition to the enclosed comments, we are concerned about the following aspects of your application:

Please furnish a review and comparison of potential alternatives to the proposed work that includes both on-site and off-site locations.

If you choose, you may respond to this letter or to the enclosed comments in one or more ways. You may try to resolve any specific comments by modifying your proposal on your own initiative and notifying us. If you wish to meet with any agency or other commenter, please contact us and we will arrange a meeting. Also, you may rebut or comment to us on any or all of the substantive points in the enclosed comments or furnish justification of the need for your activity. However, we emphasize that you are not assured that a permit would be issued merely because you resolve objections or modify your proposal.

The Corps of Engineers will make the final decision on your application, and we will not issue a permit if issuance would be contrary to the public interest. We will consider the enclosed comments and your response, if any, along with other relevant factors in our determination of the public interest. Finally, you may choose to take no action on the enclosed objections. In that case, we will decide whether to issue the requested permit based on the information in your application, on the public notice comments, and on any other information we have developed about your activity from our own evaluation.

If we issue the permit, it may contain conditions that are necessary to address specific environmental issues or other public interest concerns. Some of those issues may be included in the enclosed comments, and others may be minor issues which are not in the enclosed comments.

In summary, we are forwarding the enclosed comments for your information and you do not have to respond. If you wish to respond in any way for consideration in our final decision, we encourage you to do so. However, we intend to finish processing your application as soon as possible. If you do not reply

within 15 days, we will assume you are declining this opportunity to respond. If you have any questions concerning this matter, please feel free to write or contact me at (816) 389-3703 or by email at brian.t.donahue@usace.army.mil.

Sincerely,

Brian Donahue Project Manager

Enclosures

cc (electronically w/enclosures):

Environmental Protection Agency,
Watershed Planning and Implementation Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife, Parks and Tourism
Kansas Department of Health and Environment
Kansas Department of Agriculture



B'

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Kansas Ecological Services Field Office 2609 Anderson Avenue Manhattan, Kansas 66502-2801

February 11, 2019

Brian Donahue Regulatory Branch U.S. Army Corps of Engineers 601 East 12th Street, Room 402 Kansas City, MO 64106

RE: NWK-2018-1458

FWS Tracking # 2019-CPA-0145

Dear Mr. Donahue:

This letter is in response to your request for review and comment on the proposal for the development of the Lenape Sand Quarry – Leavenworth County, Kansas. Development is proposed to include clearing, grading, excavation, and placement of fill materials into wetlands for the purpose of sand dredging operations on a 223-acre site adjacent to the Kansas River. The site contains 9.6-acres of farmed wetlands. The development proposes impacts to 8.79-acres of the total wetland area.

We have reviewed the permit application pursuant to our authorities under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.); section 404(b) of the Clean Water Act (33 U.S.C 1344); the Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. 703 et seq.); the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.); the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.); and executive orders 11990 (wetland protection) and 11988 (floodplain management); and are consistent with the intent of the National Environmental Policy Act of 1969.

General Comments

Farmed wetlands often provide quality habitat for migratory birds as well as many other wetland dependent species. They can also serve as natural buffers that provide flood attenuation by slowing storm water run-off, filtering sediment and solutes, and thereby reducing erosion by dissipating energy. Our office recommends avoiding fill to these wetlands to the maximum extent possible.

We do however, appreciate the effort made by the applicant to develop sand dredging operations within the floodplain and not in the Kansas River. We also appreciate the applicant's proposed effort to not withdraw or return water to and from the Kansas River

for the operation of this sand quarry. We encourage the applicant to purchase wetland credits from an appropriate mitigation bank, and thereby compensate for unavoidable impacts.

Endangered Species

The northern long-eared bat (Myotis septentrionalis) is protected by the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.) as threatened, and under a 4(d) rule. The 4(d) rule provides flexibility with implementation of the ESA, and allows for limited tree removal projects provided those projects do not occur within 0.25 mile from a known, occupied hibernacula or involve any cutting of known, occupied roost trees during the pup season (June 1 – July 31).

Invasive Species

Invasive species, both aquatic and terrestrial, are a significant factor in the decline of native flora and fauna. Executive order 13112 Section 2 (3) directs Federal agencies to not authorize, fund, or carry out actions that it believes are likely to result in the introduction or spread of invasive species, and to ensure that all reasonable and prudent measures are taken to minimize risk of harm related to their actions. Hazard Analysis and Critical Control Points (HACCP) is a valuable planning tool for invasive species control. These tools are available at http://haccp-nrm.org/. Invasive species of concern in Kansas include the zebra mussel (*Dreissena polymorpha*), Eurasian watermilfoil (*Myriophyllum spicatum*), purple loosestrife (*Lythrum salicaria*), Johnson grass (*Sorghum halepense*), sericea lespedeza (*Lespedeza cuneata*), salt cedar (*Tamarix spp.*), and reed canary grass (*Phalaris arundinacea*).

Additional information on aquatic invasive species in Kansas can be found on KDWPT's website http://www.kdwp.state.ks.us/news/fishing/aquatic_nuisance_species. Human activities are the primary means of invasive species introduction. Prevention of introduction is the most cost-effective option for dealing with invasive species. We strongly encourage the inclusion of BMP's "best management practices" for the prevention of invasive species transfer in all mitigation plans. At minimum the following should be included as a permit condition:

All equipment brought on site should be thoroughly washed to remove dirt, seeds, and plant parts. Any equipment that has been in any body of water within the past 30 days should be thoroughly cleaned with hot water greater 140° F (typically the temperature found at commercial truck washes) and dried for a minimum of five days before being used at this project site. In addition, before transporting equipment from the project site all visible mud, plants and fish/animals should be removed, all water should be eliminated, and the equipment should be thoroughly cleaned. Anything that came in contact with water should be cleaned and dried following the above procedure.

Fish and Wildlife Coordination Act

Brosion controls should be employed if possible, as a vital component of the project to ensure that sediment originating from construction and equipment use does not enter any adjacent tributaries. Sediment barriers should be installed and maintained throughout the life of the

Phillips, Janelle [KDA]

From:

Hofmeier, Jordan [KDWPT]

Sent:

Tuesday, February 05, 2019 4:30 PM

To:

Phillips, Janelle [KDA]

Subject:

KDWPT Review: Lenape Sand Quarry floodplain fill, LV Co. (Track #20181159-3; ECA: 2019021)

Dear Ms. Phillips,

We have reviewed the information for the proposed Lenape Sand Quarry in Leavenworth County, KS (Section 22, Township 12 South, Range 22 East). The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and Kansas Department of Wildlife, Parks, and Tourism managed areas for which this agency has administrative authority.

We appreciate the sponsor developing the sand quarry in the floodplain as opposed to dredging in the Kansas River. We provide the following comments and general recommendations, when applicable:

- Avoid impacts to existing streams and rivers, riparian zones, wetlands, and native prairie and woodland areas.
- Minimize all bank or instream activity, particularly during general fish spawning season (March 1 Aug. 31).
- Incorporate principles of low impact development (LID), such as permeable asphalt pavement, porous concrete, swales, bioretention, or raingardens. More info. on LID: https://www.epa.gov/nps/urban-runoff-low-impact-development
- Implement and maintain standard erosion-control Best-Management-Practices during all aspects of
 construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any
 combination of these) across the entire construction area to prevent sediment and spoil from entering
 aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed
 and vegetation is established. For more information, go to: http://www.kdheks.gov/stormwater/#construct
- Reseed disturbed areas with native warm-season grasses, forbs, and trees.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species or species in need of conservation. No Department of Wildlife, Parks, and Tourism permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits or reviews may be required from other regulatory agencies including but not limited to: Kansas Dept. of Agriculture - Division of Water Resources, Kansas Dept. of Health and Environment, U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, etc. You should verify this yourself.

Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Please direct all review materials electronically to KDWPT.ESS@ks.gov to streamline the review process for all parties.

JH

Jordan Hofmeier

Aquatic Ecologist, Ecological Services Kansas Dept. of Wildlife, Parks, & Tourism 512 SE 25th Ave, Pratt, KS 67124

Office: (620) 672-0798 Cell: (785) 249-0874 Fax: (620) 672-2972 jordan.hofmeier@ks.gov

Donahue, Brian T CIV USARMY CENWK (USA)

From: Hofmeier, Jordan [KDWPT] < Jordan. Hofmeier@KS.GOV>

Sent: Tuesday, February 05, 2019 4:09 PM

To: Donahue, Brian T CIV USARMY CENWK (USA)

Cc:Christopher Thornton; DeLong, Tiffany; Scott Satterthwaite [KDHE]Subject:[Non-DoD Source] KDWPT Review: Lenape Sand Quarry, LV Co. (Track #20181159-2;

NWK-2018-1458)

Dear Mr. Donahue,

We have reviewed the information for the proposed Lenape Sand Quarry on 223 acres in Leavenworth County, KS (Section 22, Township 12 South, Range 22 East). The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and Kansas Department of Wildlife, Parks, and Tourism managed areas for which this agency has administrative authority.

We appreciate the sponsor developing the sand quarry in the floodplain as opposed to dredging in the Kansas River. We provide the following comments and general recommendations, when applicable:

- * Avoid impacts to existing streams and rivers, riparian zones, wetlands, and native prairie and woodland areas.
- * Minimize all bank or instream activity, particularly during general fish spawning season (March 1 Aug. 31).
- * Incorporate principles of low impact development (LID), such as permeable asphalt pavement, porous concrete, swales, bioretention, or raingardens. More info. on LID: <Blockedhttp://www.epa.gov/owow/NPS/lid/>
 Blockedhttps://www.epa.gov/nps/urban-runoff-low-impact-development
- * Implement and maintain standard erosion-control Best-Management-Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information, go to: Blockedhttp://www.kdheks.gov/stormwater/#construct <Blockedhttp://www.kdheks.gov/stormwater/#construct>
- * Reseed disturbed areas with native warm-season grasses, forbs, and trees.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species or species in need of conservation. No Department of Wildlife, Parks, and Tourism permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits or reviews may be required from other regulatory agencies including but not limited to: Kansas Dept. of Agriculture - Division of Water Resources, Kansas Dept. of Health and Environment, U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, etc. You should verify this yourself.

project, as well as any additional applicable BMP's "best management practices".

Good information on BMPs for erosion control can be found at http://www.dot.ca.gov/hq/construc/stormwater/BMP Field Master FullSize Final-Jan03.pdf, and http://www.fws.gov/midwest/fisheries/streamcrossings/BrosionControl.htm, or http://www.kdheks.gov/stormwater/#construct

We recommend revegetation of disturbed areas with native, warm season grasses and shrubs post-construction to further reduce the potential of erosion, and prevent the increased potential of introduction of non-native invasive plant species.

Thank you for the opportunity to comment on this project and please accept this letter as our formal response. If you have any further questions, please contact Chris Thornton in this office (785) 539-3474 Ext. 102.

lason L. Lug.

Jason Luginbill Field Supervisor

cc: EPA, Kansas City, KS (Wetland Protection) – Tiffany Delong – <u>delong.tiffany@epa.gov</u> KDWPT, Pratt, KS (Ecological Services) – Jordan Hofmeier – <u>Jordan.Hofmeier@ks.gov</u> KDHE, Topeka, KS (Bureau of Water) – Scott Satterthwaite – <u>Scott.Satterthwaite@ks.gov</u> Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

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Please direct all review materials electronically to KDWPT.ESS@ks.gov to streamline the review process for all parties.

JΗ

Jordan Hofmeier

Aquatic Ecologist, Ecological Services

Kansas Dept. of Wildlife, Parks, & Tourism

512 SE 25th Ave, Pratt, KS 67124

Office: (620) 672-0798

Cell: (785) 249-0874

Fax: (620) 672-2972

jordan.hofmeler@ks.gov



phone: 785-272-8681 fax: 785-272-8682 cultural_resources@kshs.org

Kansas Historical Society

Governor Laura Kelly Jennie Chinn, Executive Director

KSR&C No. 18-10-183

January 25, 2019

Brian Donahue U.S. Army Corps of Engineers Via E-Mail

RE:

Lenape Sand Quarry

Permit No. NWK-2018-1458

Leavenworth County

Dear Mr. Donahue:

The Kansas State Historic Preservation Office has reviewed your public notice and attached documentation regarding the above-referenced project dated January 16, 2019. According to our records, this project area was reviewed (KSR&C No. 18-10-183) and cleared in a letter to John Kahl of Terra Technologies, dated November 21, 2018. Since we see no significant changes in the current documentation, our original clearance can stand. This office continues to have no objection to implementation of the project.

This information is provided at your request to assist you in identifying historic properties, as specified in 36 CFR 800 for Section 106 consultation procedures. If you have questions or need additional information regarding these comments, please contact Tim Weston at 785-272-8681 (ext. 214) or Lauren Jones at 785-272-8681 ext. 225. Please refer to the Kansas Review & Compliance number (KSR&C#) above on all future correspondence relating to this project.

Sincerely,

Jennie Chinn

Executive Director and

State Historic Preservation Officer

atrick Johner

Patrick Zollner

Deputy State Historic Preservation Officer

Donahue, Brian T CIV USARMY CENWK (USA)

From: DeLong, Tiffany <delong.tiffany@epa.gov>
Sent: Thursday, January 31, 2019 2:54 PM

To: Donahue, Brian T CIV USARMY CENWK (USA)

Cc: USEPA Region 7; Hofmeier, Jordan [KDWPT]; Christopher Thornton; Scott Satterthwaite

(scott.satterthwaite@ks.gov); DuPree, Gabriel; Daniels, Jason

Subject: [Non-DoD Source] Kaw Valley permit application NWK-2018-01458

The EPA has reviewed NWK-2018-01458, an application to perform dredging operations on a 223-acre site resulting in the loss of 8.79 wetland acres. The EPA has the following comments regarding this permit application:

The EPA appreciates (1) the applicant considering and choosing an alternative other than dredging inside the adjacent river

(2) the applicant utilizing a well to supply water and returning pumped water to the excavated pit rather than discharging to the adjacent river (3) the avoidance of 0.81 acres of wetland (4) the inclusion of a plan for overburden soils and (5) choosing a location with little to no forested wetlands.

In addition to all of these items the EPA suggests placing the processing facility and any impervious surfaces (like parking lots) in areas with no wetlands to further minimize impacts to the greatest extent practicable.

Thank you for the opportunity to comment on this project, please let me know if you have any questions.

Tiffany DeLong

U.S. Environmental Protection Agency, Region 7

Watershed Planning and Implementation Branch | Wetland and Stream Protection Section

913.551.7729

Phillips, Janelle [KDA]

From: Sent: Kathy Haynes <k.haynes@kcc.ks.gov> Thursday, January 24, 2019 2:55 PM

To:

Phillips, Janelle [KDA]

Subject:

RE: ECA#2019021

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

A review of Conservation Division files failed to indicate any environmental concerns within the acreage described in this application.

In the event unexpected circumstances are encountered during construction, such as the discovery of abandoned oil, gas or exploratory holes or lead lines, the applicant should contact district office at (620) 902-6450, so appropriate regulatory response can be made.

If you have any questions or concerns, please call me at (316) 337-6243.

Kathy Haynes

Department of Environmental Protection and Remediation



Conservation Division
Kansas Corporation Commission
266 N. Main Ste 220 | Wichita, KS | 67202-1513
Phone (316) 337-6243 | Fax (316) 337-6211 | http://kcc.ks.gov/

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the KORA, K.S.A. 2010 Supp. 45-215 et seq.

From: Phillips, Janelle [KDA] < Janelle. Phillips@ks.gov>

Sent: Thursday, January 24, 2019 2:42 PM

To: Klein, Andrew <aiklein@ksu.edu>; biological survey <biosurvey@ku.edu>; Kathy Haynes <k.haynes@kcc.ks.gov>; Environmental Services, KDWPT [KDWPT] < KDWPT.ess@ks.gov>; KSHS < eca@kshs.org>; KDA SCC Office Assistant < KDA.DOC@ks.gov>; Scott Satterthwaite [KDHE] < Scott.Satterthwaite@ks.gov>

Cc: danh@kvco.net; Tom Ingram < tingram@cfse.com >; JJOSEPH@LEAVENWORTHCOUNTY.ORG; Schemm, Doug [KDA] < Doug.Schemm@ks.gov >; Antonella Cerchi (antonella.i.cerchi@usace.army.mil) < antonella.i.cerchi@usace.army.mil >

Subject: ECA#2019021

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

The Water Projects Environmental Coordination Act, K.S.A. 82a-325 to 327, requires this agency to provide seven other agencies in the state government an opportunity to review and comment on your application for a period of not less than 30 days. The environmental coordination process has been initiated, but a thorough review of your project

may not yet have been performed. You will be informed of any changes that may be necessary to comply with our rules and regulations and any concerns or comments we receive from the environmental coordination agencies.

This letter does not provide any permission to begin the construction of your project. **Construction** can begin only after written approval has been obtained from the Chief Engineer of this agency. If you have any questions or comments please contact this office by writing or calling (785) 564-6656.

Notice No.: 2019021 WS No.: LLV-0151

Date of Notice: 1/24/2019 Expiration Date: 2/23/2019

Project No.: Lenape Sand Quarry – floodplain fill

Along Kansas River at a location in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 22, Township 12 South, Range 22 East, Leavenworth County, Kansas.

https://agriculture.ks.gov/eca-user-login

https://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits/environmental-coordination-notices

Janelle N. Phillips, P.E., C.F.M., LEED-AP Stream Permit Team Lead Water Structures Program Kansas Department of Agriculture Division of Water Resources 1320 Research Park Drive Manhattan, KS 66502 785-564-6656 janelle.phillips@ks.gov



phone: 785-272-8681 fax: 785-272-8682 cultural_resources@kshs.org

Kansas Historical Society

Sam Brownback, Governor Jennie Chinn, Executive Director

MEMORANDUM

To:

ECA Permit Applicant

From:

Kansas State Historical Society Bob Hoard, State Archeologist

Re:

Historic and Prehistoric Cultural Resources

Because of time and budget constraints, the Kansas State Historical Society has elected to waive review of permit applications under the Water Projects Environmental Coordination Act (KSA-82a-325 et seq.). However, digging, grading, and other types of construction activities may reveal the presence of buried historic and/or prehistoric archeological sites or artifacts within your project area. If archeological materials are encountered during construction, please contact me at 785-272-8681 ext. 269 or by email at rhoard@kshs.org and do not further disturb the site. If the materials appear to be significant, we may ask for the opportunity to document or salvage the.

In the event human burials or remains are encountered, the Kansas Unmarked Burial Sites Preservation Act (KSA 75-2741 through 75-2754) requires the finder to immediately report these discoveries to the local law enforcement agency. If the remains are not the result of criminal activity, their fate will be determined by the Unmarked Burial Sites Preservation Board. Encountering an unmarked burial does not necessarily stop a project. Discussion with the Board may lead to modification of the project, and in some cases the burial is removed and the project allowed to proceed. Human burials and associated artifacts must not be further disturbed after their discovery, until law enforcement officials or the Unmarked Burial Sites Preservation Board has determined the appropriate action. The Unmarked Burial Sites Preservation Act provides substantial penalties for intentionally disturbing human burials and grave goods, whether located on public or private property. If you find a bone that you suspect may be human, leave it where it is and get expert help to identify it. The county coroner, a medical doctor, or an archeologist can help.

What to Look For

Archeological sites from the historic and prehistoric periods may be buried. Prehistoric sites can be recognized by the presence of discolored earth, bones, stone tools (arrow heads, knives, scrapers), stone flakes (thin, sharp edged pieces of stone produced when making chipped stone tools), burned stones, and pieces of coarse, unglazed pottery. Stone flakes are the most commonly found artifact.

Historic period sites can be recognized by the presence of stone, brick, or concrete foundation walls, or concentrations of these materials. Many of the items used in historic times are similar to those used today. Bottles, cups, tin cans, buckets, hand tools, glass fragments, and other items can be easily recognized. If you are unsure of the significance of what you have found, contact my office.

Thank you for assisting in preserving the archeological heritage of Kansas.

These actions do not constitute compliance with Section 106 of the National Historic Preservation Act. If this project receives federal funding, licensing, permitting or assistance you must contact the State Historic Preservation Office (785-272-8681 ext. 240) prior to construction for a review of the undertaking under federal law.





Kansas Forest Service Policy for Environmental Coordination Act Permits

Under the Water Projects Environmental Coordination Act, the Kansas Forest Service (KFS) is responsible for reviewing permit applications from the Kansas Department of Agriculture, Division of Water Resources to determine if projects adversely affect critical forest resources.

Due to the large volume of permits we are unable to review them all. For this reason we request the Division of Water Resources to share this document with all people applying for ECA

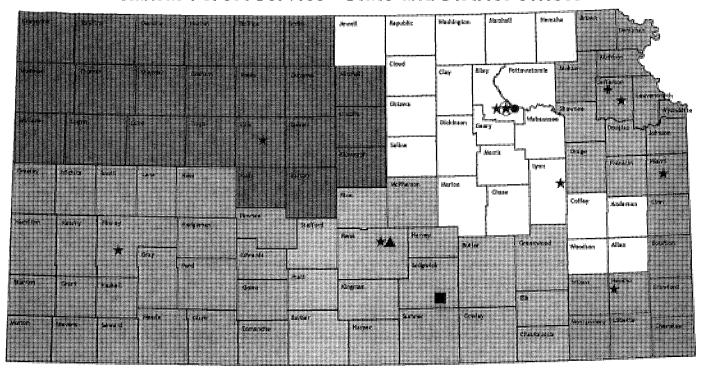
There is 2.2 million acres of forestland in Kansas and a significant percent is riparian forest that borders streams and rivers providing important water quality, soil conservation, wildlife habitat, recreational and wood product benefits to the people of Kansas.

Each year we lose a million acres of forestland to development in the United States (Ralph Alig, USDA FS Pacific NW Research Station). This generally occurs in small patches which often seem insignificant, but collectively degrades our quality of life.

If your project contributes to the conversion of forestland to another land use that exceeds an acre in size, the Kansas Forest Service requests that you consider mitigating the damage by planting at least 435 native trees per acre on a site of similar ecological value.

Kansas Forest Service foresters are available to assist with preparing tree planting plans at no charge and can also advise on financial incentives programs to help cover project expenses. Foresters contact information may be found on the back of this sheet. You are also invited to check out the KFS web site (www.kansasforests.org) for additional information.

Kansas Forest Service - State and District Offices



- STATE OFFICE PERSONNEL: Kansas Forest Service 2610 Claflin Road Manhattan, KS 66502 785-532-3300; Fax: 785-532-3305 Larry Biles - State Forester Bob Atchison - Rural Forestry Coordinator Jarran Tindle - Water Quality Forester Darci Paull - GIS Specialist Mark Haller - Conservation Specialist Ryan Armbrust - Forest Health/Conservation Forester Aaron Yoder - Agricultural Technician Jason Hartman - Fire Protection Specialist Ross Hauck - Fire Management Coordinator Eric Ward - Excess Property Manager Jennifer Williams - Communications Coordinator Annie Cummings - Conservation Program Associate Kylie Rethman - Administrative Specialist Aimee Hawkes - Accountant Bob Duncan - Equipment Mechanic Specialist Terry Fleming - Equipment Mechanic
- ▲ STATEWIDE
 Fire Training Specialist
 Rodney Redinger
 3211 East 4th
 Hutchinson, KS 67501
 620-728-4464
 rodney2@ksu.edu
- ♣ STATEWIDE Marketing and Utilization Forester David Bruton 7760 174th Street Valley Falls, KS 66088 785-945-6147 dbruton@ksu.edu
- STATEWIDE
 Watershed Forester
 Andrew Klein
 1320 Research Drive
 Manhattan, KS 66502
 785-564-6673
 ajklein@ksu.edu

- Rural District Forester Ryan Rastok 700 Jefferson Street Oskaloosa, KS 66066 785-410-0399 rrastok@ksu.edu
- Rural District Forester
 Katy Dhungel
 104 South Brayman
 Paola, KS 66071
 785-477-6412
 kdhungel@ksu.edu
- Rural District Forester Howard Freerksen 2272 Road 250 Reading, KS 66868 620-699-3372 hfreerksen@ksu.edu
- Rural District Forester
 Ashley Stiffarm
 1500 West 7th Street
 Chanute, KS 66720
 620-431-0380
 stiffarm@ksu.edu
- Rural District Forester
 Thad Rhodes
 3705 Miller Parkway, Suite B
 Manhattan, KS 66503
 785-776-7582, ext 517
 trhodes@ksu.edu
- Rural District Forester
 Dennis Carlson
 2803 North Lorraine, Suite J
 Hutchinson, KS 67502
 620-921-3554
 dcarlson@ksu.edu

- Rural and Community District Forester
 Jami Seirer
 3012 Broadway Avenue
 Hays, KS 67601
 785-624-3138
 iseirer@ksu.edu
- Rural and Community District Forester John Klempa 2106 East Spruce Street Garden City, KS 67846 620-275-0211, ext 111 jdklempa@ksu.edu
- Community District Forester Kim Bomberger 2610 Claflin Road Manhattan, KS 66502 785-532-3315 kbomberg@ksu.edu
- Community District Forester
 Community Forestry Coordinator
 Tim McDonnell
 1901 E. 95th Street South
 Haysville, KS 67060
 316-788-0492, ext 202
 tmcdonne@ksu.edu



Updated: 9/1/2017



DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT 635 FEDERAL BUILDING 601 E. 12TH STREET KANSAS CITY, MISSOURI 64106-2824

May 9, 2019

Regulatory Branch (NWK-2018-1458)

Mr. David Flick Terra Technologies 6240 West 135th Street, Suite 100 Overland Park, Kansas 66223

Dear Mr. Flick:

As requested by your application, submitted on behalf of Kaw Valley Companies, Inc., enclosed is a proposed Department of the Army (DA) permit, in duplicate, with drawings attached. When executed, the permit will authorize plans by the applicant to place fill materials within and impact 8.02 acres of wetland for the purpose of developing a 188-acre project site for sand dredging. The project is located within Section 22, Township 12 south, Range 22 east, Leavenworth County, Kansas.

A copy of the water quality certification issued for your work, by the Kansas Department of Health and Environment has been attached to the enclosed DA permit. As stated in general condition "5" of the enclosed permit document, the conditions presented in the state's water quality certification are incorporated into the special conditions of the permit by reference.

This letter contains an initial proffered permit for your proposed project. If you object to the permit because of certain terms and conditions therein, you may request that the permit be modified accordingly. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal (NAO-RFA) form. If you request reconsideration of this decision you must submit a completed NAO-RFA form to the Kansas City District at the following address:

District Commander ATTN: Mark D. Frazier Chief, Regulatory Branch U.S. Army Engineer District, Kansas City 601 East 12th Street, Suite 402 Kansas City, MO 64106-2824 Voice: 816-389-3990 FAX: 816-389-2032

In order for an NAO-RFA to be accepted by the U.S. Army Corps of Engineers (Corps), the Corps must determine that it is complete, that it meets the criteria for reconsideration under 33 C.F.R. Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the above address by July 8, 2019. It is not necessary to submit an NAO-RFA form to the District Office if you do not object to the provisions of your initial proffered permit.

If you wish to accept the permit in its present form, please sign the original and duplicate copy of the enclosed permit document. Each copy of the permit document should be signed on page 3 above

the word "Permittee," dated, and returned within 30 days from the date of this letter. Also, the application fee of \$100 should be paid by check made payable to USAED-KC and remitted with the permit document. A preaddressed envelope is enclosed for your convenience. Upon receipt of the properly signed documents and the application fee, the permit will be executed and returned to you for your files. Your signature on the standard permit means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

Special condition "a" of the permit document requires you to complete and return a "Compliance Certification" upon completion of the authorized work and any required mitigation. The form will be provided to you when your DA permit is executed.

In addition to the general and special conditions of this IP, a special condition has been added in order to replace the lost aquatic resources that result from the authorized project.

You must purchase 8.02 acres of wetland credits from an approved compensatory mitigation bank in the service area of the project. The current approved mitigation bank available in the service area of your project is the Kansas River and Missouri River Umbrella Mitigation Bank. The compensatory mitigation credit purchase must be completed prior to the commencement of work within our regulatory jurisdiction. You must notify the project proponent that they must submit a receipt of payment from the mitigation bank that includes the amount of credits purchased and the date of credit purchase. Receipts submitted by authorized agents will not be accepted.

In their comments, in response to the public notice for the proposed work, the U.S. Fish and Wildlife Service expressed concerns with the inadvertent spread of exotic and invasive species; they recommended that all equipment brought on site should be thoroughly washed to remove dirt, seeds, and plant parts. Any equipment that has been in any body of water within the past 30 days should be thoroughly cleaned with hot water greater than 140° F (typically the temperature found at commercial car washes) and dried for a minimum of five days before being used at this project site. In addition, before transporting equipment from the project site all visible mud, plants and fish/animals should be removed, all water should be eliminated, and the equipment should be thoroughly cleaned. Anything that came in contact with water should be cleaned and dried following the above procedure.

This determination has been conducted to identify the limits of the Corps' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work (Regulatory Guidance Letter No. 02-1).

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete our Customer Service Survey form on our website at: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

If you have any questions concerning this matter, please feel free to write me or to call Mr. Brian Donahue at (816) 389-3703.

Sincerely,

David R. Hibbs

Regulatory Program Manager

Regulatory Branch

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee Kaw Valley Companies, Inc.

Permit No. NWK-2018-1458

Issuing Office U.S. Army Engineer District, Kansas City

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below, and with the plans and drawings attached hereto which are incorporated in and made a part of this permit.

Project Description: This permit authorizes the placement of fill materials within and impacts to 8.02 acres of wetland for operations involving clearing, grading and excavation to operate a 188-acre sand dredging operation.

Permit Drawings: Location map, plan view, Sheets 4 of 4 dated 26 April 2019.

Project Location: Within Section 22, Township 12 south, Range 22 east, Leavenworth County, Kansas.

(Latitude: 38.98997 --- Longitude: -94. 95948) USGS QUAD: DeSoto, Kansas

Permit Conditions:

General Conditions:

- 1. The time limit for completing the work authorized ends on 31 December 2029. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

See continuation sheets, pages 4 and 5, of this document.

Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
- () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
- () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorization required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

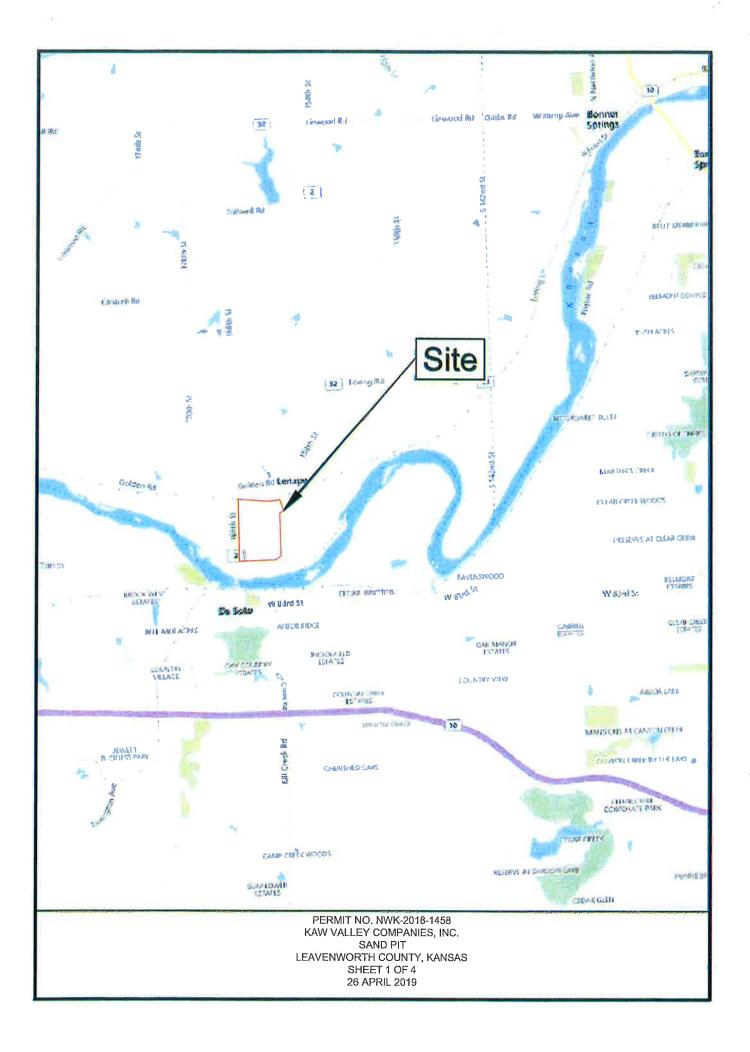
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)	(DATE)
(PRINTED NAME AND TITLE)	
This permit becomes effective when the Federal official	al, designated to act for the Secretary of the Army, has signed below.
	:
(DISTRICT ENGINEER) DOUGLAS B GUTTORMSEN	(DATE)
BY: David R. Hibbs, Regulatory Program Manager	
conditions of this permit will continue to be binding on	are still in existence at the time the property is transferred, the terms and the new owner(s) of the property. To validate the transfer of this permine with its terms and conditions, have the transferee sign and date below.
and the associated natifices associated with compliant	

Special Conditions:

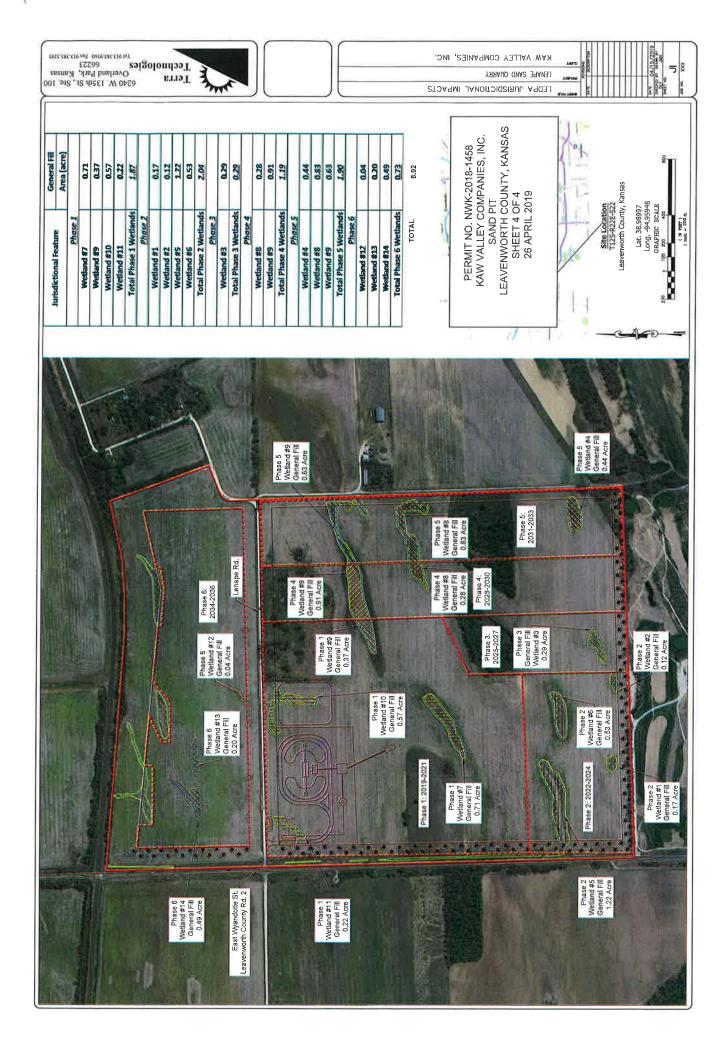
- a. You must sign and return a "Compliance Certification" after you complete the authorized work and any required mitigation. Your signature will certify that you completed the work in accordance with this permit, including general and specific conditions, and that any required mitigation was completed in accordance with the permit conditions.
- b. You must purchase 8.02 acres of wetland credits from an approved compensatory mitigation bank in the service area of the project. The current approved mitigation bank available in the service area of your project is the Kansas River and Missouri River Umbrella Mitigation Bank. The compensatory mitigation credit purchase must be completed prior to the commencement of work within our regulatory jurisdiction. You must notify the project proponent that they must submit a receipt of payment from the mitigation bank that includes the amount of credits purchased and the date of credit purchase. Receipts submitted by authorized agents will not be accepted.
- c. If any part of the authorized work is performed by a contractor, before starting work you must discuss the terms and conditions of this permit with the contractor; and, you must give a copy of this entire permit to the contractor.
- d. You must use clean, uncontaminated materials for fill in order to minimize excessive turbidity by leaching of fines, as well as to preclude the entrance of deleterious and/or toxic materials into the waters of the United States by natural runoff or by leaching.
- e. You must dispose of excess concrete and wash water from concrete trucks and other concrete mixing equipment in a non-wetland area above the ordinary high water mark and at a location where the concrete and wash water cannot enter the water body or an adjacent wetland area.
- f. You must excavate, dredge and/or fill in the watercourse in a manner that will minimize increases in suspended solids and turbidity which may degrade water quality and damage aquatic life outside the immediate area of operation.
- g. You must immediately remove and properly dispose of all debris during every phase of the project in order to prevent the accumulation of unsightly, deleterious and/or toxic materials in or near the water body.
- h. You must not dispose of any construction debris or waste materials below the ordinary high water mark of any water body, in a wetland area, or at any location where the materials could be introduced into the water body or an adjacent wetland as a result of runoff, flooding, wind, or other natural forces.
- i. You must store all construction materials, equipment, and/or petroleum products, when not in use, above anticipated high water levels.

- j. You must restrict the clearing of timber and other vegetation to the absolute minimum required to accomplish the work. Clearing, grading and replanting should be planned and timed so that only the smallest area necessary is in a disturbed, unstable or unvegetated condition.
- k. Water pumped from the dredge pit must be returned to the pit during dredging operations. No water may be withdrawn or returned to the Kansas River for operation of the site.









Division of Environment Curtis State Office Building 1000 SW Jackson St., Suite 400 Topeka, KS 66612-1367



Phone: 785-296-1535 Fax: 785-559-4264 www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

April 18, 2019

Mr. Brian T. Donahue U.S. Army Corps of Engineers Kansas City Regulatory Office, 601 East 12th, Street, Room 402 Kansas City, Missouri 64106

Clean Water Act- Section 401 Water Quality Certification

RE: NWK-2018-1458: Applicant: KAW Valley Companies, Inc., 5600 Kansas Avenue, Kansas City, KS 66106

On April 2, 2019, the Kansas Department of Health and Environment (KDHE) received, from the U.S. Army Corps of Engineers, Kansas City District, a request for Section 401 Water Quality Certification for the proposed Section 404 project as described below.

Description from the U.S. Army Corps of Engineers, Kansas City District/KDHE Joint Public Notice dated January 16, 2019: "PROPOSED: Development of the Lenape Sand Quarry. The proposed work would involve operations involving clearing, grading, excavation and the placement of fill materials into wetlands to prepare and operate a sand dredging operation within a 223-acre site adjacent to the Kansas River. The development of the site is proposed in stages, involving 6 phases of development over the life of the project. Overburden soils will be removed from a portion of the site to allow excavation of a pit large enough to contain a floating dredge. The pit will continue to be expanded across the rest of the site resulting in an open water lake at the termination of the development. Surface soils not suitable for processing will be used for landscaping berms around the perimeter of the site. Water pumped from the dredge pit will be returned to the pit during dredging operations. The maximum depth of excavation within the dredged pit is expected to range between 40-60 feet. No water would be withdrawn or returned to the Kansas River for operation of the site. The applicant will supply supplemental processing water from a well drilled within the project site.

PROJECT LOCATION: The project site is located within the floodplain of the Kansas River, north and outside the city limits of DeSoto, Kansas in Section 22, Township 12 south, Range 22 east, Leavenworth County, Kansas. Latitude: 38.98997 --- Longitude: -94. 95948. USGS QUAD: DeSoto, Kansas

WETLANDS/AQUATIC HABITAT: The project site contains a total of 9.6 acres of farmed wetlands. The proposed project would impact 8.79 acres of those wetlands.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES:

The development plan avoids 0.52 acre of impact to wetland #16 and 0.29 acre of wetland #17, for a total of 0.81 acres of wetland avoidance. Mitigation for unavoidable impacts of the project are proposed by the applicant through the purchase of wetland credits from an approved mitigation bank."

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The KDHE has reviewed the project application material and determined the project has the following water pollutant discharge sources:

1. Excavating activities, equipment and materials storage, equipment fueling and maintenance, etc.

Discharges from these sources if not minimized or otherwise controlled may cause violations of the provisions of Kansas Water Quality Standards found at KAR 28-16-28 et seq. The proposed project involves impacts to wetlands <u>not</u> described in the Kansas Surface Water Register [KAR 28-16-28(g)] as having designated uses. Additionally, once filled, they will no longer be waters of the state. Therefore, applicable water quality protection measures here within this certification shall be implemented to assure any drainage off the site does not cause a water quality complaint or a standard violation.

- 1) This certification shall be posted on site through the duration of the project.
- 2) **KDHE Notification:** Permit recipients shall email KDHE at NPS@kdheks.gov when construction starts.
- 3) Kaw Valley Companies, Inc. shall avoid or control the discharge of suspended solids from riparian and instream activities so that the project does not cause:
 - a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [KAR 28-16-28e(b)(1)].
 - b. Any surface waters of the state within and below the project area to contain discarded solid material, including trash, garbage rubbish, offal, grass clippings, discarded building or construction materials, car bodies, tires, wire and other unwanted or discarded materials [KAR 28-16-28e(b)(3)].
 - c. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28e(b)(4)].
 - d. Any surface waters of the state within or below the project to have of deposits of sludge or fine solids [KAR 28-16-28e(b)(6)].
 - e. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8).

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- 4) Site grading should be designed and completed so as to ensure extraneous stormwater drainage from off-site is not allowed to enter the pit potentially contaminating groundwater. This would be of particular concern if the site receives drainage from ag cropland in the area because of potential pesticide and herbicide runoff. Particular to removing and stockpiling of the topsoil, over the area to form the initial pit activities disturbing one acre or more are subject to the National Pollutant Discharge Elimination System (N.P.D.E.S.) storm water permit requirements of 40 C.F.R. 122.26. Kaw Valley Companies, Inc., shall contact Mr. Larry Hook at 785/296-5549, lhook@kdheks.gov; Bureau of Water Industrial Programs (BOW IP) for instructions or visit KDHE's website: www.kdheks.gov/stormwater. This permit requires a Stormwater Pollution Prevention Plan (SWP3) be prepared and retained on site.
- 5) Runoff from construction and operation of the project is subject to the requirements of the National Pollutant Discharge Elimination System (N.P.D.E.S.) for industrial activities. Kaw Valley Companies, Inc., shall apply for this permit by completing and submitting an N.O.I. for an Industrial Stormwater General NPDES Permit to KDHE Bureau of Water Industrial Programs (BOW IP). The form and instructions can be found at:

http://www.kdheks.gov/stormwater/download/5.1 Industrial Stormwater Notice of Intent Form NOI & Instructions.pdf.

Please contact Mr. Eric Staab, P.E. at 785-296-4347 or <u>Eric.Staab@ks.gov</u> for more information. Furthermore, this permit requires a Stormwater Pollution Prevention Plan (SWP3) be prepared for implementation, kept on site and be available for submittal to KDHE BOW IP. Additional resources to assist with preparation of a SWP3 can be found at: http://www.kdheks.gov/stormwater/#indust.

- 6) Kaw Valley Companies, Inc. shall avoid or control the discharge of toxic substances, oil and grease and other fluids from riparian activities, so that the project does not cause:
 - a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [KAR 28-16-28e(b)(1)].
 - b. Surface waters of the state within and below the project area to have toxic substances, radioactive isotopes, and infectious microorganisms in concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife or aquatic or semi-aquatic life [KAR 28-16-28e(b)(2)].
 - c. Any surface waters of the state within and below the project area to have a visible oil and grease film or sheen on the water surface or on submerged substrate or adjoining shore lines, nor have a sludge or emulsion deposit below the water surface of adjoining shorelines [KAR 28-16-28e(b)(5)].
 - d. Any surface waters of the state within and below the project to contain taste and odor producing substances at concentrations which interfere with the production of potable water by conventional water treatment processes, impart an unpalatable flavor to edible aquatic or semi-aquatic life or terrestrial wildlife or that result in noticeable odors in the vicinity [KAR 28-16-28e(b)(7).

- 7) The activity shall avoid or control the discharge of plant nutrients from starter fertilizer application, removal of permanent riparian vegetation, so that the project does not cause:
 - a. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28e(b)(4)].
 - b. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8)].
- 8) Kaw Valley Companies, Inc. shall prepare a water quality protection plan describing the actions that will be taken to comply with Certification Conditions 3-7. The SWPP referenced in Condition 4 above will suffice. The applicant is strongly encouraged to also address the following items along with the SWP3:
 - a. **Riparian Areas:** Minimize removal or disturbance of riparian areas (areas adjacent to water bodies). Strongly consider using native vegetation endemic to the area.
 - b. **Fertilizer:** Apply starter fertilizer according to label directions while avoiding immediately before heavy rain.
 - c. **Solid Waste:** All waste materials produced by the construction project shall be disposed of in accordance with the provisions of the Kansas solid waste management statutes and regulations (K.S.A. 65-3401 and K.A.R. 28-29-1 et. seq.) or applicable local rules. Good housekeeping including personal refuse such as food containers, sacks etc. shall be addressed.
 - d. **Fuels, Chemicals and Maintenance Areas:** All fuels and chemicals necessary to complete the project shall be stored in such a manner that accidental spillage is minimized or can be temporarily contained before reaching the water body. Equipment maintenance areas shall also be located in this manner.
 - e. **Spills:** Should a spill of fuel or discharge of pollutants occur, the local emergency staff should be contacted first by dialing 911. The Kansas Department of Health and Environment shall then be notified immediately: (785) 296-1679 (24 hours a day.) These incidences should also be reported to the National Spill Response Center (1-800-424-8802). Hazardous materials spills and air releases that meet federal reportable quantities must also be reported to Kansas Division of Emergency Management (800-275-0297)." These reporting numbers shall be posted in several locations around the site. A Spill Prevention and Response Plan should be prepared. This should include reportable quantity limits (see www.kansas.gov/kdem).
 - f. The excavation depth and depth to groundwater makes local private and other water wells susceptible to contamination. Kaw Valley Companies, Inc. should strongly consider using the Kansas Water Well Data Base or other means to maintain a list of local water well owners to expeditiously contact in case of a spill.

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- g. Kaw Valley Companies, Inc. shall contact the Leavenworth County Planning and Zoning Department to inquire about Leavenworth County's sanitary code compliant mechanisms for treating on-site waste water. For assistance, please contact: Mr. Jeff Joseph, 913-684-0465, pz@leavenworthcounty.org.
- 9) This certification does not relieve Kaw Valley Companies, Inc. of the responsibility for any discharge into waters of the state. The Kansas Department of Health and Environment retains the option of revoking or revising this certification any time an inappropriate discharge may occur. As provided by K.S.A. 65-171(f), failure to comply with the conditions of this certification may subject the responsible party to fines up to \$10,000 per violation with each day the violation occurs constituting a separate violation.
- 10) If Kaw Valley Companies, Inc. believes the conditions of this certification will result in impairment of important widespread social and economic development, the applicant is advised of the variance provisions of 40 CFR 131.10(g)(6) as adopted by reference in K.A.R. 28-16-28d(1)(B).

Additionally, this project occurs in the Lower Kanas River Watershed Restoration and Protection Strategy (WRAPS) with goals to reduce nutrient triggered harmful algae blooms in and other water quality impacts to impaired water bodies in the Lower Kansas Watershed. For more information please contact Ms. Megan Rush, Coordinator at: mrush@kaws.org or 402-813-7691.

Finally, questions concerning this certification may be directed to Mr. Scott Satterthwaite, 785-296-5573 or by email to: Scott.Satterthwaite@ks.gov.

Sincerely,

Scott L. Satterthwaite, M.S. Environmental Specialist

Bureau of Environmental Field Services

Scott L. Sollert havaite

EC: KDHE Central- Glave, Staab, Hook, Lyon, Marlett KDHE NEDO

J. Joseph- Leavenworth Planning and Zoning Phillips-KDA -DWR
Rush- KAWS Lower KS WRAPS

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applic	eant: Kaw Valley Companies, Inc.	File Number: 2018-1458	Date: May 9, 2019
Attach	ed is:		See Section below
XX	A. INITIAL PROFFERED PERMIT (Stand	dard Permit or Letter of Permission)	A
	B. PROFFERED PERMIT (Standard Perm	it or Letter of Permission)	В
	C. PERMIT DENIAL		С
	D. APPROVED JURISDICTIONAL DETI	ERMINATION	D
	E. PRELIMINARY JURISDICTIONAL D	ETERMINATION	Е

SECTION I - The following identifies your rights and options regarding a modification, reconsideration, or administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or request modification of the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the <u>District Engineer</u> for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- REQUEST MODIFICATION: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the <u>District Engineer</u>. Your objections must be received by the <u>District Engineer</u> within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the <u>District Engineer</u> will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the <u>District Engineer</u> will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT: You may accept or appeal the permit.
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the <u>District Engineer</u> for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the <u>Division Engineer</u> (address on page 2). This form must be received by the <u>Division Engineer</u> within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the <u>Division Engineer</u> (address on page 2). This form must be received by the <u>Division Engineer</u> within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept the approved JD, appeal the approved JD, or submit new information and request reconsideration of the approved JD.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the <u>Division Engineer</u> (address on page 2). This form must be received by the <u>Division Engineer</u> within 60 days of the date of this notice.
- RECONSIDERATION BASED ON NEW INFORMATION: You may submit new information to the <u>District Engineer</u> for reconsideration of an approved JD. You must submit the information within 60 days of the date of this notice.
- E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II —Fill out this section and return this form to the appropriate office only if submitting a request for modification or reconsideration to the <u>District Engineer</u>, or if submitting a request for Administrative Appeal to the <u>Division Engineer</u>. All such submittals must be made within 60 days of the date of this notice.

Submit the following requests to the <u>District Engineer</u>

A. Modification of an INITIAL PROFFERED PERMIT (Item A).

D. Reconsideration of an APPROVED JURISDICTIONAL DETERMINATION based on NEW INFORMATION (Item D RECONSIDERATION).

Submit the following requests to the Division Engineer

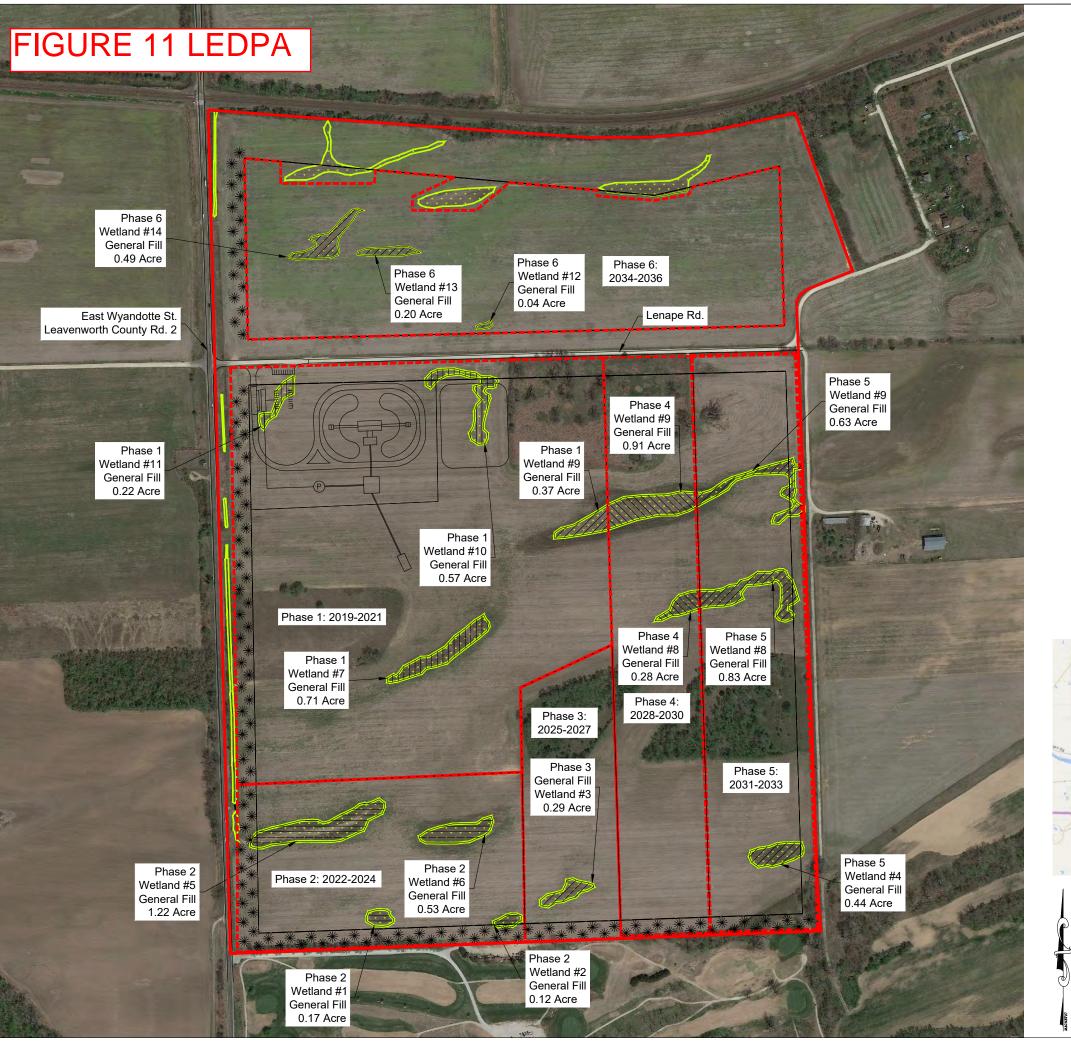
- B. Administrative Appeal of a PROFFERED PERMIT (Item B).
- C. Administrative Appeal of a PERMIT DENIAL (Item C).
- D. Administrative Appeal of an APPROVED JURISDICTIONAL DETERMINATION (Item D APPEAL) (for reasons other than reconsideration of an approved JD based on new information).

(Note: Preliminary Jurisdictional Determinations (Item E) are not appealable. If you have concerns regarding a preliminary Jurisdictional Determination, you can request an approved Jurisdictional Determination).

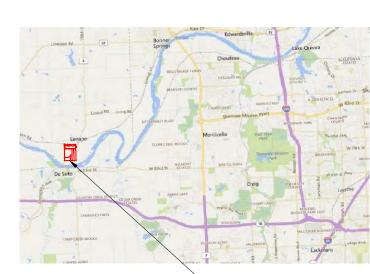
REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

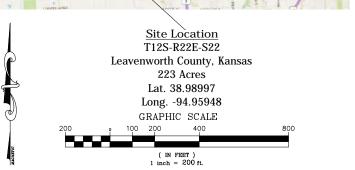
SUBMITTAL OF NEW OR ADDITIONAL INFORMATION: The District Engineer may accept and consider new information if you request a modification to an initial proffered permit (Part A), or a reconsideration of an approved JD (Part D). An administrative appeal to the Division Engineer is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the administrative record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

appellant nor the Corps may add new information or analyses to the a information to clarify the location of information that is already in the		ou may provide additional
POINT OF CONTACT FOR QUESTIONS OR INFORM		
If you have questions regarding this decision and/or the appeal	If you wish to submit an appeal	or have questions regarding the
process you may contact:	appeal process you may contact:	
DISTRICT ENGINEER	DIVISION ENGINEER	
Attn: Mark D. Frazier	Attn: Melinda M. Larsen	
Chief, Regulatory Branch	Regulatory Appeals Review O	
U.S. Army Engineer District, Kansas City	U.S. Army Corps of Engineers	
601 12th Street, Room 402	1201 NE Lloyd Blvd., Suite 400	0
Kansas City, MO 64106-2824	Portland, OR 97232	
Telephone: 816-389-3990	Telephone: 503-808-3888	
(Use this address for submittals to the District Engineer)	Email: Melinda.M.Larsen@us	
RIGHT OF ENTRY: Your signature below grants the right of entry t	o Corps of Engineers personnel, an	nd any government consultants, to
conduct investigations of the project site during the course of the appe		a 15 day notice of any site
investigation, and will have the opportunity to participate in all site in	vestigations.	
	Date:	Telephone number:
Signature of appellant or agent.		
Signature of appendit of agent.		









Terra 6240 W. 135th St., Ste. 100 Overland Park, Kansas 66223 Technologies 66223 Tel 913.385.9560 Fax 913.385.5295

DESCRIPTION

DATE 04/15/2019 CHECKED BY DRAWN BY

APPENDIX E Sample Inspection Report



STORMWATER POLLUTION PREVENTION INSPECTION FORM

			General Info	mation		
Name of Project			Permit No.		Inspection Date	
Inspector Name, Title & Contact Information						
Inspection Type	Standard	Post-Rainfall	☐ If post-rainfall, red	ord total rainfall amount that	triggered the inspe	ection (in inches):
			Condition and Effec	tiveness of Controls		
Type/Location of Control	Repairs/ Maintenance Needed?	Corrective Action Required?*	Date Maintenance/ Corrective Action Fir Identified?	st Notes		
1.	□Yes □No	□Yes □No				
2.	□Yes □No	□Yes □No				
3.	□Yes □No	□Yes □No				
4.	□Yes □No	□Yes □No				
5.	□Yes □No	□Yes □No				
6.	□Yes □No	□Yes □No				
7.	□Yes □No	□Yes □No				
8.	□Yes □No	□Yes □No				
9.	□Yes □No	□Yes □No				
10.	□Yes □No	□Yes □No				



STORMWATER POLLUTION PREVENTION INSPECTION FORM

	Description of Discharges
Was a stormwater discharge or other discharge If "yes":	occurring from any part of your site at the time of the inspection?
Discharge Location	Observations
1.	
2.	
3.	
	Certification and Signatures
system designed to assure that qualified per person or persons who manage the system,	ument and all attachments were prepared under my direction or supervision in accordance with a rsonnel properly gathered and evaluated the information submitted. Based on my inquiry of the or those persons directly responsible for gathering the information, the information submitted is, to the urate, and complete. I am aware that there are significant penalties for submitting false information, ment for knowing violations."
Signature of Contractor's SWPP Inspector:	Date:
Printed Name and Company:	
Signature of Owner's SWPP Inspector:	Date:
Printed Name and Company:	

Stormwater Pollution Prevention Plan Lenape Sand Quarry, 166th & Lenape Road CFS Project Number 18-5201 May 2019

APPENDIX F SWPPP Amendment Log

SWPPP Amendment Log

Project Name:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by: [Name(s) and Title]

APPENDIX G Subcontractor Certification Agreements

Subcontractor Certification Agreements SUBCONTRACTOR CERTIFICATION

STORMWATER POLLUTION PREVENTION PLAN

Project Number:
Project Title:
Operator(s):
As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.
Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:
I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the BMPs and practices described in the SWPPP.
This certification is hereby signed in reference to the above named project:
Company:
Address:
Telephone Number:
Type of construction service to be provided:
Signature:
Title:
Date:

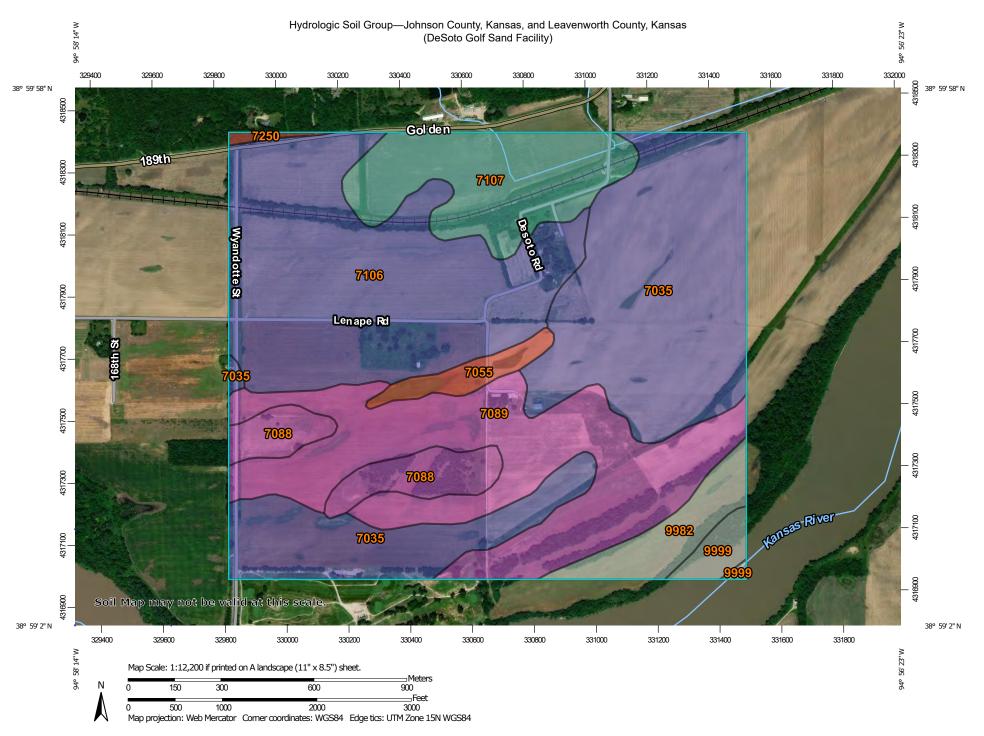
Stormwater Pollution Prevention Plan Lenape Sand Quarry, 166th & Lenape Road CFS Project Number 18-5201 May 2019

APPENDIX H Training Log

Stormwater Pollution Prevention Training Log

Proje	ect Name:				
Opera Instru Instru	ator(s):ctor's Name(s):ctor's Title(s):				
Cours	se Location:se Location:se Length (hours):swater Training Topic: <i>(check</i>			Date:	
□ E	Erosion Control BMPs		Emergency Pr	ocedures	
□ s	Sediment Control BMPs		Good Housek	eeping BMPs	
	Non-Stormwater BMPs				
Speci	fic Training Objective:				
Attend	dee Roster: (attach additiona	ıl page	es as necessary)		
No.	Name of Attendee			Company	
1					
2					
3					
4					
5					
2 3 4 5 6 7 8 9					
/					
8					
9					

APPENDIX I Soil Survey Information



MAP LEGEND Area of Interest (AOI) С Area of Interest (AOI) C/D Soils D **Soil Rating Polygons** Not rated or not available Α **Water Features** A/D Streams and Canals Transportation B/D Rails ---Interstate Highways C/D **US Routes** D Major Roads Not rated or not available Local Roads Soil Rating Lines Background Aerial Photography Not rated or not available **Soil Rating Points** A/D B/D

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: Johnson County, Kansas Survey Area Data: Version 16, Oct 4, 2017

Soil Survey Area: Leavenworth County, Kansas Survey Area Data: Version 12, Oct 4, 2017

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

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

Date(s) aerial images were photographed: Jul 27, 2016—Aug 3, 2017

MAP LEGEND

MAP INFORMATION

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.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
9999	Water		0.7	0.1%
Subtotals for Soil Surve	y Area		0.7	0.1%
Totals for Area of Intere	st		598.4	100.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7035	Eudora-Bismarckgrove fine sandy loams, overwash, occasionally flooded	В	178.9	29.9%
7055	Kimo silty clay loam, occasionally flooded	D	10.9	1.8%
7088	Stonehouse sand, occasionally flooded	А	28.3	4.7%
7089	Stonehouse-Eudora fine sandy loams, overwash, occasionally flooded	A	129.3	21.6%
7106	Eudora-Bismarckgrove silt loams, rarely flooded	В	157.0	26.2%
7107	Bismarckgrove-Kimo complex, rarely flooded	С	61.5	10.3%
7250	Gosport-Sogn complex, 7 to 35 percent slopes	D	1.7	0.3%
9982	Fluvents, frequently flooded		22.1	3.7%
9999	Water		7.9	1.3%
Subtotals for Soil Sur	vey Area		597.7	99.9%
Totals for Area of Inte	rest		598.4	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

APPENDIX J Notice of Transfer of Ownership



NOTICE OF TRANSFER OF OWNER/OPERATOR

For Authorization to Discharge Stormwater Runoff from Construction Activity
In accordance with Kansas Water Pollution Control General Permit No. S-MCST-1703-1
Under the National Pollutant Discharge Elimination System

Use this form only when stormwater discharge and control responsibility for the entire permitted area will be transferred to a new owner/operator. The new owner/operator is required to meet the definition of "Owner", "Owner or operator", or "owner/operator" for the entire authorized project scope. Partial permitted area transfers and individual lots need to utilize procedures in paragraphs 8.2 and 8.3 of the NPDES general permit. Submission of the Notice of Transfer of Owner/Operator (NOTO) constitutes notice that the new permittee, or an authorized representative, requests authorization for coverage under the Kansas Water Pollution Control general permit, or KDHE issued successor permits, issued for discharge of Stormwater Runoff from Construction Activities in the State of Kansas. Completion of this NOTO does not provide automatic coverage under the general permit to the new permittee. Coverage is provided and discharge permitted when the Kansas Department of Health and Environment (KDHE) accepts the transfer. TO CONTINUE COVERAGE, THE NEW PERMITTEE MUST ASSUME THE RESPONSIBILITY TO PAY THE ANNUAL PERMIT FEE AND CONTINUE TO IMPLEMENT THE STORMWATER POLLUTION PREVENTION PLAN DEVELOPED FOR THE PERMITTED AREA.

Submission of this NOTO to KDHE does not relinquish the current permittee's authorization to discharge stormwater runoff from construction activity at the site described herein. Completion of this NOTO does not automatically relieve the current permittee of any civil, criminal and/or administrative penalties. To be considered complete, the NOTO must be signed by the current permittee or a duly authorized representative of the current permittee, and must include the permit number assigned to the construction site. KDHE will notify any new permittee whose NOTO is incomplete, deficient or denied.

I have reviewed the terms and conditions of the general coverage, and liability. This transfer will be effective v		nwater Pollution Preven	ntion plan and ac	cept full responsibility,
The NEW permittee is:				
Owner or Operator's Name:	Co	ontact Name:		
Company Name:	Co	ompany Name:		
Owner or Operator's Phone:	Co	ontact Phone:		
Mailing Address:	M	ailing Address:		
City: State: Zip Code: _	Ci	ty:	State:	Zip Code:
E-mail Address (optional):	E-r	nail Address (optional)	: <u></u>	
		· •		
I certify that I have personally examined and am far New Permittee's Signature:	miliar with the infor	mation described her	ein.	
I certify that I have personally examined and am fai	miliar with the infor	mation described her	ein Date:	
I certify that I have personally examined and am far New Permittee's Signature:	miliar with the infor	mation described her	ein Date:	
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I certify that I have personally examined and am far New Permittee's Signature: Name (type or print): O BE COMPLETED BY THE CURRENT PERMIT As previous permittee, I hereby agree to the transfer of	TEE: the permit and all resusser.	Title:	ein. Date: understand that	
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I certify that I have personally examined and am far New Permittee's Signature: Name (type or print): O BE COMPLETED BY THE CURRENT PERMIT As previous permittee, I hereby agree to the transfer of responsibilities is effective when KDHE accepts the tra Name of Project: Address:	TEE: the permit and all resunsfer. City:Fee	Title:sponsibilities thereof. ICounty:	ein. Date: understand that the state: KS	the transfer of permit Zip Code:

Kansas Department of Health and Environment Bureau of Water, Industrial Programs Section 1000 SW Jackson, Suite 420 Topeka, KS 66612 – 1367

Accepted:	□ Y; □ N
Reviewer	Date

APPENDIX K Notice of Termination



NOTICE OF TERMINATION

To Relinquish the Authorization to Discharge Stormwater Runoff from Construction Activities at the Construction Site Described Herein

Submission of this Notice of Termination (NOT) constitutes notice that the party identified below relinquishes authorization for coverage under the Kansas Stormwater Runoff from Construction Activities general permit, or KDHE authorized successor permits, issued for discharge of stormwater runoff for the construction activity at the site named herein. Completion of this NOT does not automatically relieve the former permittee of any civil, criminal and/or administrative penalties.

To be considered complete, the NOT must be signed by the current permittee or a duly authorized representative of the current permittee, and must include the permit number assigned to the construction activity. KDHE will notify any permittee whose NOT is incomplete or deficient.

Ple	ease Print or Type:		
Na	me of Project:		
Cit	y:	County:	State: KS
Ka	nsas Permit No	Federal Permit No	
Co	mpany Name:		Phone:
Thi	is Notice of Termination is being submitted because	: (check one)	
	The construction project or larger common plan o (pavement, buildings, structures, or perennial veget all areas which have been disturbed - See Part 9 of	tation having a density of a	at least 70% of undisturbed areas at the site cover
	This project is a house development subdivision p at least 3 years, the vacant lots are all stabilized, an one (1.0) acre (approximately 5 lots) per year or led development (see Part 9 of the NPDES general per	nd the rate of home constructions that one (1.0) acre of	uction within the development disturbs less than
	The construction project or larger common plan of coverage* under NPDES general permit S-MCST-effect for all remaining construction activities and a final stabilization.	-1703-1 or KDHE author ill areas disturbed by previ	ized successor permits has been issued and is in ous construction activities that have not obtained
	* The duplicate Kansas Permit Number is:		
	The project was cancelled prior to initiating cons under the current authorization for coverage. It is a application packet with first year annual permit fee	understood that should the	project be revived in the future, a new complete
of this with to vice Poll NP2 or t	ertify under penalty of law that all soil disturbances associate four criteria indicated above in accordance with Part 9 s. Notice of Termination, I am no longer authorized under the construction activity at this construction site. I understawaters of the State is unlawful under K.S.A. 65-164 and lution Control Permit. I understand that by submitting the DES general permit S-MCST-1703-1, K.S.A. 65-164 and the Clean Water Act. I also hereby certify that I am authoriein.	of the NPDES general permit the NPDES general permit and that discharging pollutan 65-165 and the Clean Wate is Notice of Termination, I at 65-165, the Kansas Surface	nit S-MCST-1703-1. I understand that by submitting S-MCST-1703-1 to discharge stormwater associated to in stormwater associated with construction activity and Act without authorization by a valid Kansas Water mot released from liability for any violations of the Water Quality Standards (K.A.R. 28-16-28 et seq.)
Sig	gnature:		Date:
	me and Official Title: (Please print or type)		
Sul	hmit the NOT with original signature to		

Submit the NOT with <u>original signature</u> to:

Kansas Department of Health and Environment Bureau of Water, Industrial Programs Section 1000 SW Jackson, Suite 420 Topeka, KS 66612 - 1367



March 4, 2019

Krystal A. Voth, CFM
Deputy Director/Floodplain Manager
Leavenworth County Planning & Zoning
300 Walnut, Suite 030
Leavenworth, KS 66048

Re: DEV-19-007 Lenape Sand Quarry

Thank you for the opportunity to review the above application for the Lenape Sand Quarry. Comments from the Public Works-Planning Division are provided below. For additional information or questions, please contact the Planning Division at 913.971.8750:

- 1. Burning Tree Golf Course is located immediately south of the proposed quarry and mining operation. Such operation has the potential for creating noise, vibration, dust, and other disturbances to the existing recreation operation. The narrative submitted by the applicant identifies noise and dust control measures. Are these proposed measures within the maximum limits allowed as identified in your Municipal Code? Have comments been received from the owners of Burning Tree Golf Course?
- 2. Are there vibration standards or limits that are applicable to this quarry operation if approved?
- 3. The proposed narrative submitted by the applicant does not include an assessment and evaluation of suitability to the existing public recreation center (Burning Tree Golf Course) to the south.
- 4. Are there measures in place for yearly environmental reports to be submitted?
- 5. An 80-foot landscape buffer is proposed along the southern property line to assist with noise mitigation. We recommend the installation of a landscape berm with evergreens planted on top of the berm be required to assist with noise mitigation efforts.

Comments from the Engineering Division are provided below. For additional information or questions, please contact the Water and Sewer Division at 913.971.9116:

- 1. Due to the depths of the mining activities over time, the City has major concerns with potential contamination happening with the pits and allowing this plume to have direct access to the ground water being pumped by Collector Well #5 located on the Burning Tree Golf Course. What actions will this operation take to ensure the safety of the ground water within the aquifer?
- 2. Due to the depths of the mining activities over time, the City has major concerns with potential contamination happening with the pits and allowing this plume to have direct access to the ground water being pumped by Collector Well #5 located on the Burning Tree Golf Course. What actions will this operation take to ensure the safety of the ground water within the aquifer?

Comments from the Traffic Division are provided below. For additional information or questions, please contact the Water and Sewer Division at 913.971.9065:

1. While no traffic congestion issues are foreseen as a result of this application request, consideration may be given for acquiring additional right-of-way along 166th street because it appears to squeeze down at the south side of the subject property.

If you have any questions or would like additional information, please do not hesitate to contact us. I can be reached at 913-971-8746 or via email at aenassif@olatheks.org

Thank you,

Aimee E. Nassif, AICP

Chief Planning and Development Officer

City of Olathe

Cc: Chet Belcher, Transportation Manager Sabrina Walker, Water and Sewer Manager Ben Laxton, Fire Protection Engineer Project file

Voth, Krystal

From: Mike Brungardt <mbrungardt@desotoks.us>

Sent: Friday, May 03, 2019 12:28 PM

To: Voth, Krystal CC: COD - City Council

Subject: RE: Request for Comment DEV-19-007

Krystal:

This application is getting quite a bit of attention in the community during the last few weeks. We had about 20 people come to our Council meeting last night during call to public to ask the Council to oppose the application. Here's a link to the recording of our meeting, timestamped at the time of the public comments: https://youtu.be/HVHS0lhAvxA?t=441

The Council discussed the issue later in the meeting. That discussion is timestamped here: https://youtu.be/HVHS0lhAvxA?t=5037

In the end, the Council asked me to supplement my previous comments with one relating to noise levels. Our preference would be that the use permit include a condition that the operator take whatever steps necessary to limit noise levels at the De Soto City Limits (or the southern property line of the quarry property) to those allowed within the City of De Soto's noise ordinance, which is available at the following link:

http://desotokansas.citycode.net/articleNoise.htm#474#!hl=\bnoise\b. In this case, the allowable level would be 65 dB during the day, and 60 dB at night.

Also, is the public hearing still set for May 8th?

Thanks.

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116 cell: 785-764-8737



From: Voth, Krystal < KVoth@leavenworthcounty.org>

Sent: Wednesday, April 10, 2019 9:24 AM

To: Mike Brungardt < mbrungardt@desotoks.us > Subject: RE: Request for Comment DEV-19-007

Mike,

Good morning. No, it is not. Now we are shooting for May 8, but that seems like it's probably unlikely.

Thanks,

Krystal

From: Mike Brungardt [mailto:mbrungardt@desotoks.us]

Sent: Wednesday, April 10, 2019 9:23 AM

To: Voth, Krystal

Subject: RE: Request for Comment DEV-19-007

Krystal:

Is the sand pit on the agenda for this evening?

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116

Cell: 785-764-8737

KANSAS

From: Voth, Krystal < KVoth@leavenworthcounty.org>

Sent: Tuesday, March 12, 2019 12:17 PM

To: Mike Brungardt < mbrungardt@desotoks.us Subject: RE: Request for Comment DEV-19-007

Mike,

This actually got moved to the April 10 Planning Commission. I will keep you posted and send the report when it's ready!

Thanks,

Krystal

From: Mike Brungardt [mailto:mbrungardt@desotoks.us]

Sent: Tuesday, March 12, 2019 12:01 PM

To: Voth, Krystal

Subject: RE: Request for Comment DEV-19-007

Krystal:

Just checking that the meeting is still set for tomorrow evening. If so, is there a staff report you could send me?

Thank you.

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018

office: 913-583-1182 x116

cell: 785-764-8737
DE SOTO

KANSAS

From: Voth, Krystal < KVoth@leavenworthcounty.org >

Sent: Tuesday, February 12, 2019 3:50 PM

To: Mike Brungardt < mbrungardt@desotoks.us Subject: RE: Request for Comment DEV-19-007

Mike,

The meeting is currently set for March 13 at 6:00 PM here at the Courthouse. Public notification will go out later this week. If for some reason there is a change, I will let you know.

Respectfully,

Krystal A. Voth, CFM
Deputy Director
Floodplain Manager
Leavenworth County Planning & Zoning
300 Walnut, Suite 030
Leavenworth, KS 66048
913-684-0461

From: Mike Brungardt [mailto:mbrungardt@desotoks.us]

Sent: Tuesday, February 12, 2019 3:48 PM

To: Voth, Krystal

Subject: RE: Reguest for Comment DEV-19-007

Thanks for the extra time, Krystal. If I have additional feedback I will get it to you by the 20th.

When and where will be public meeting be held?

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116

cell: 785-764-8737

KANSAS

From: Voth, Krystal [mailto:KVoth@leavenworthcounty.org]

Sent: Tuesday, February 12, 2019 3:03 PM

To: Mike Brungardt < mbrungardt@desotoks.us > **Subject:** RE: Request for Comment DEV-19-007

Mike,

Thank you for the response and concerns. If you need more time to engage other City Officials, please do so. I always set the deadline as a week out primarily so I can keep track of who has given me comment and who hasn't. I then have enough time to make the request again in the event I have not received all comments. Given the nature of this project, I do not think we should cut corners in anyway. If you can get me additional comments by the 20th of February I can still make my deadlines and get the information into the report.

Thank again,

Krystal

From: Mike Brungardt [mailto:mbrungardt@desotoks.us]

Sent: Tuesday, February 12, 2019 11:17 AM

To: Voth, Krystal

Cc: COD - City Council; Patrick Reavey; Marshal Goodnight; Doug Smith

Subject: RE: Request for Comment DEV-19-007

Krystal:

Please consider this e-mail my formal response to the Special Use Permit application materials submitted by Kaw Valley Companies, Inc., which you sent me on February 4th. With the limited response time, I have not had the opportunity to fully engage De Soto's governing body on this issue, so this is not an official position from the City.

As I mentioned in my previous e-mail, my two primary concerns are the truck traffic and potential impacts to groundwater quality.

Truck Traffic:

The application materials indicate that the majority of truck traffic will be bound for Kaw Valley's processing facility in Edwardsville, but does leave open the potential for sales to other companies. The traffic study concentrates solely on the route between the proposed pit and the Edwardsville facility. Obviously, my concern relates to truck traffic to the south of the site which would cross the Kansas River bridge into De Soto, passing through a primarily residential area. While an occasional truck or two would not pose much of a concern, there is a potential for a situation to arise where a significant volume of truck traffic heads south from the site into De Soto.

For this reason, I request that you consider placing a truck route restriction in the terms of the Special Use Permit limiting or prohibiting truck traffic to and from the south of the site.

Groundwater Quality:

Attached is a map of De Soto's water system showing the location of our raw water wells along the Kansas River. We have three vertical wells on the north side of the Kansas River in Leavenworth County. One of these wells is only about ¼ mile west of the proposed dredging pit. I am therefore concerned about any potential impacts to groundwater quality.

Under the title of "Pollution Concerns", the SUP narrative indicates that the dredge pond would serve as a sedimentation basin to trap erosion and prevent it from entering the Kansas River. The narrative also includes a section entitled "Sediment Basin", which outlines the intent to capture runoff from surrounding fields, and specifically indicates that the pit would allow ready absorption of stormwater runoff into the underlying groundwater table. This practice should be avoided, since it has a great potential to negatively impact groundwater quality by introducing surface contaminants, (including agricultural fertilizers, fuel residues, or other chemicals), directly into the groundwater table. A common practice with similar dredging pits is to construct berms or other surface water diversion works around the parameter of the pit to prevent the flow of surface runoff into the pit. I would request that the applicant be required to do so in this case. In addition, I would encourage a condition on the use permit requiring the use of an electric dredge to eliminate the potential of a fuel leak directly into the pit.

Lastly, I feel it will be necessary to actively monitor groundwater quality for the duration of the pit operations. I request that a condition be placed on the operator to conduct periodic groundwater testing at a location between the proposed pit and De Soto's wells. There are two abandon wells along Lenape Road, (owned by the Sunflower Redevelopment Group) that might be used for this purpose. Testing should be conducted by an independent consultant before the development of the pit, and at intervals not exceeding four months throughout the duration of mining activities.

Please let me know the date and location of the public meeting for this application, as I would like to attend.

Thank you.

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018

office: 913-583-1182 x116

cell: 785-764-8737

DE SOTO

From: Mike Brungardt

Sent: Monday, February 04, 2019 12:03 PM

To: 'Voth, Krystal' < KVoth@leavenworthcounty.org Subject: RE: Request for Comment DEV-19-007

Thanks for the information, Krystal. I just received a notification today from the Corps about their 404 permit, and I was intending to reach out to Leavenworth Planning. Without looking at any of the material you sent, my first concern would be truck traffic over the bridge and through De Soto, and potential impact to De Soto's water wells that are just west of the site.

I will provide a formal written response by February 12.

Thanks,

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116

Cell: 785-764-8737

DE SOTO

KANSAS

From: Voth, Krystal [mailto:KVoth@leavenworthcounty.org]

Sent: Monday, February 04, 2019 11:43 AM

To: Mike Brungardt < mbrungardt@desotoks.us >
Subject: FW: Request for Comment DEV-19-007

Good morning. Our office has received an application for a sand quarry down on Golden Road. This request is located near a small section of the City of De Soto and as such, I wanted to reach out to you. I have attached several documents, including the application, site plan, traffic study, noise study and plant operations memo. This is for a Special Use Permit case being hear in March. As such, your written input is greatly appreciated by Tuesday, February 12. If you have any additional questions, or need anything else, please just let me know! Thank you and have a good day!

Respectfully,

Krystal A. Voth, CFM

Deputy Director
Floodplain Manager
Leavenworth County Planning & Zoning
300 Walnut Street, Suite 030
Leavenworth, KS 66048
913-684-0461

Voth, Krystal

From: Brittney Nicole Reed <Brittney.Reed@westarenergy.com>

Sent: Tuesday, February 05, 2019 9:47 AM

To: Voth, Krystal

Subject: RE: Request for Comment DEV-19-007

Good morning Krystal,

After reviewing the application, I don't see any major concerns at this time. There are both 34.5 kV and 12.47 kV lines on the east side of 166th street to accommodate the proposed sand quarry. If the permit is granted, we will perform an evaluation of our system versus the loadings they will require.

Please let me know if you need anything else.

Thank you!

Brittney Reed

Westar Energy
Design Technician
Brittney.Reed@Westarenergy.com
O (913) 667-5124

From: Tyler Lee Rebel

Sent: Monday, February 4, 2019 1:45 PM

To: Voth, Krystal <KVoth@leavenworthcounty.org>; Brittney Nicole Reed <Brittney.Reed@westarenergy.com>

Subject: FW: Request for Comment DEV-19-007

Krystal,

I've attached Brittney from our Shawnee Division. She should be able to help you out on this once she gets a moment to review it.

Thank ya!

Tyler Rebel

Westar Energy
Distribution Designer
tyler.rebel@westarenergy.com
O (913) 758-2727

If you've received this private message in error, I apologize for the inconvenience. Please don't distribute it. Instead, please just delete it and respond to let me know of my error. Then, have a wonderful day.

From: Voth, Krystal < KVoth@leavenworthcounty.org>

Sent: Monday, February 4, 2019 11:39 AM

To: Tyler Lee Rebel < <u>Tyler.Rebel@westarenergy.com</u>> **Subject:** FW: Request for Comment DEV-19-007

Tyler,

Good morning! Our office has received an application for a sand quarry down on Golden Road. I have attached several documents, including the application, site plan, traffic study and plant operations memo. This is for a Special Use Permit case being heard in March. As such, your written input is greatly appreciated by Tuesday, February 12. If you have any additional questions, or need anything else, please just let me know! Thank you and have a good day!

Please let me know if this should go to someone else! Thanks!

Respectfully,

Krystal A. Voth, CFM
Deputy Director
Floodplain Manager
Leavenworth County Planning & Zoning
300 Walnut, Suite 030
Leavenworth, KS 66048
913-684-0461

If you've received this message in error, I apologize for the inconvenience. Please don't distribute it. Instead, please just delete it and respond to let me know of my error. Then, have a wonderful day.

Group) that might be used for this purpose. Testing should be conducted by an independent consultant before the development of the pit, and at intervals not exceeding four months throughout the duration of mining activities.

Please let me know the date and location of the public meeting for this application, as I would like to attend.

Thank you.

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018

office: 913-583-1182 x116

Cell: 785-764-8737

DE SOTO

KANSAS

From: Mike Brungardt

Sent: Monday, February 04, 2019 12:03 PM

To: 'Voth, Krystal' <KVoth@leavenworthcounty.org> **Subject:** RE: Request for Comment DEV-19-007

Thanks for the information, Krystal. I just received a notification today from the Corps about their 404 permit, and I was intending to reach out to Leavenworth Planning. Without looking at any of the material you sent, my first concern would be truck traffic over the bridge and through De Soto, and potential impact to De Soto's water wells that are just west of the site.

I will provide a formal written response by February 12.

Thanks,

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116

cell: 785-764-8737

DE SOTO

From: Voth, Krystal [mailto:KVoth@leavenworthcounty.org]

Sent: Monday, February 04, 2019 11:43 AM
To: Mike Brungardt mbrungardt@desotoks.us
Subject: FW: Request for Comment DEV-19-007

Good morning. Our office has received an application for a sand quarry down on Golden Road. This request is located near a small section of the City of De Soto and as such, I wanted to reach out to you. I have attached several documents, including the application, site plan, traffic study, noise study and plant operations memo. This is for a Special Use Permit case being hear in March. As such, your written input is greatly appreciated by Tuesday, February 12. If you have any additional questions, or need anything else, please just let me know! Thank you and have a good day!

MEMO

To: Jeff Joseph

From: Chuck Magaha
Subject: Sand Dredging
Date: June 6, 2019

Jeff, thank you for the opportunity to review the special use permit for the sand dredging operation submitted by Kaw Valley sand and Gravel.. We had a special use permit issue to a party unknown to myself for the same type of operation by the Kansas river on 222nd street on the North that was abandoned for years. This was finally reclaimed about a year ago. A dredging operation should be responsible for returning the ground to the condition they found it in when they arrived which is stated in the application. Recommendations from this office would be to include a barricade be placed around the site to keep persons away from the area when not in operation. The company should provide an emergency action plan and a site plan to the local fire department and with the Emergency Management office. The company needs to include contact persons after hours and emergency actions in the event of an accident such as a possible drowning or engulfment of material to a person. Heavy train traffic is relevant in this area so caution needs to be warranted along 166th Street with drivers so signage might be a need. If you have any questions please contact me at 684-0455.

Public Comment

Voth, Krystal

From: Vicki McCarty <v.mccarty@hotmail.com>

Sent: Friday, July 05, 2019 6:54 AM

To: Voth, Krystal

Subject: Sand Pit/ Southern Leavenworth County

Good morning Ms. Voth

I would like to express my thoughts and feelings on the subject of the Sand Pit permit that is pending for the Southern tip of Leavenworth County residents.

I am sure you've been flooded with emails, some filled with angry words and many reasons as to why we are opposed to this project.

I don't have angry words and my reasons are probably the same as others who have written to you. Concerns about pollution, noise, traffic. I agree with all of those.

We've been here 18 years now, working hard on our home and finally getting it where we are happy. New white fencing for our 10 horses, remodeling has been done and a new kitchen in the near future. I work in Overland Park and coming home to my peaceful country setting is about all that I have to keep me sane sometimes.

So to drive with up to 200 trucks clogging the road by the railroad tracks, the constant noise we would hear on this hill would not be my safe and quiet place to be. There is a half mile of trees between us and the railroad track. Trees are only in leaf six months a year plus the fact the sound carries up the hill and sounds like trains in our pasture many times. Trees do not stop noise. I moved here with the train noise and accept it. I find it hard to accept the sand pit noise.

I also hate to see a thriving business end up closed down due to this project. The golf course tree line suggestion will not work to keep noise and pollution out, besides the fact it will take many years for the trees to mature. People play golf to relax in nature. There will be no relaxing there with an industrial site in full working order next to it.

But the main concern I have is the truck traffic and the safety. My husband was a terminal manager for a trucking company for years. He knows that contract drivers paid by the load are going to take the quickest route in and out of our area. None of the roads are able to tolerate this stress plus the school buses, the wildlife crossing the roads, the charity runs and biking events along these country roads would all be endangered

There are many reasons that I know you have heard over and over so I will not repeat them. I just simply ask that this project is not forced upon this quiet residential rural neighborhood, knowing it will destroy the quality of life for both wildlife and people alike

Thank you for your time

Vicki McCarty

12490 166th St Leavenworth KS 66052 816-210-9215

Voth, Krystal

From: Joseph, Jeff

Sent: Tuesday, July 16, 2019 4:16 AM **To:** Voth, Krystal; Sloop, Stephanie

Subject: Fwd: SAND PIT

Sent from my iPhone

Begin forwarded message:

From: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Date: July 15, 2019 at 9:56:22 PM CDT

To: "Joseph, Jeff" <JJoseph@leavenworthcounty.gov>

Subject: Fwd: SAND PIT

For your records

Vicky Kaaz

Sent from my iPhone

Begin forwarded message:

From: "Van Parys, David" < <u>DVanParys@leavenworthcounty.gov</u>>

Date: July 15, 2019 at 4:51:17 PM CDT

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov >, "Loughry, Mark"

<mloughry@leavenworthcounty.gov>

Subject: RE: SAND PIT

Commr., Pass on to P&Z for inclusion in the record.

From: Kaaz, Vicky

Sent: Monday, July 15, 2019 3:11 PM

To: Loughry, Mark <mloughry@leavenworthcounty.gov>; Van Parys, David

<DVanParys@leavenworthcounty.gov>

Subject: Fwd: SAND PIT

Vicky Kaaz

Sent from my iPhone

Begin forwarded message:

From: kristi chavers < klchavers@hotmail.com>

Date: July 15, 2019 at 12:21:43 PM CDT

To: "vkaaz@leavenworthcounty.org" <vkaaz@leavenworthcounty.org>

Subject: SAND PIT

Ηi

My name is Kristi Chavers, my address is 14152 174th St Linwood, KS. I am writing in regards to the proposed sand pit by Kaw Valley. I have lived in southern Leavenworth county all but 6 1/2 years of my life, those 6 years I lived in Bonner Springs, which will also be affected by the proposed sand pit.

I did not attend the June meeting of the Planning & Zoning committee, we had been hit with the wrath of the May 28th tornado. My house was spared other then a few things blown away and broke. My mom and dad who are 78, their address is 17800 Cantrell Rd Linwood, didn't fare too well. Their barn, garage, trees were destroyed. Their house was basically gone and they are fortunate that the rebuild has started.

I did get to attend the Planning & Zoning meeting on July 10th at the Leavenworth county courthouse regarding the sand pit. I knew how I felt about this, I think it's a horrible idea with no benefit to anyone but Kaw Valley and the owner (who lives out of state). My main reason to attend that meeting was to hear if there were going to be any benefits to LV CO. There will only be 5 workers, hired from anywhere. LV CO would only receive \$30K a year from this project. \$30K is nothing.

I work in Overland Park, KS at a commodity trading company. My route every morning and night is going through DeSoto (which will be affected as well) passing right by the proposed sight at 166th & Lenape. So many bad things-ALL the trucks daily going down roads that are not ready for this kind of traffic. The water will be contaminated. The wildlife will be affected. The people who live close by. The people that farm close by. All the people that live in the area. The golf course- that does a lot of good for the community.

I ask you to carefully consider a NO vote on July 31st at 9AM at the courthouse.

Think for a minute- how would you like to live next to or farm by this or drive by this everyday.

Also, check the reputation of Kaw Valley.

Thank you Kristi Chavers 14152 174th St Linwood KS 66052 816-806-1416

I would love to hear your response.

Sent from Outlook



Y DIV

Getting Up to Speed Ground Water Contamination



round water contamination is nearly always the result of human activity. In areas where population density is high and human use of the land is intensive, ground water is especially vulnerable. Virtually any activity whereby chemicals or wastes may be released to the environment, either intentionally or accidentally, has the potential to pollute ground water. When ground water becomes contaminated, it is difficult and expensive to clean up.

To begin to address pollution prevention or remediation, we must understand how surface waters and ground waters interrelate. Ground water and surface water are interconnected and can be fully understood and intelligently managed only when that fact is acknowledged. If there is a water supply well near a source of contamination, that well runs the risk of becoming contaminated. If there is a nearby river or stream, that water body may

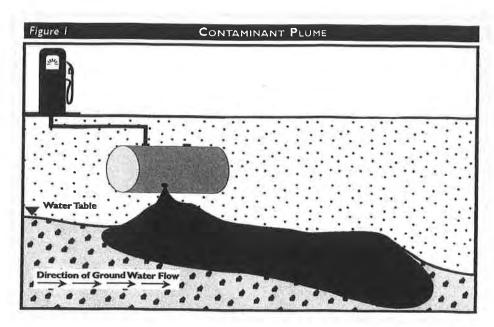
also become polluted by the ground water.

How Does
GROUND WATER
BECOME
CONTAMINATED?

Depending on its physical, chemical, and biological properties, a contaminant that has been released into the environment may move within an aquifer in the same manner that ground water moves. (Some contaminants, because of their phys-

ical or chemical properties, do not always follow ground water flow.) It is possible to predict, to some degree, the transport within an aquifer of those substances that move along with ground water flow. For example, both water and certain contaminants flow in the direction of the topography from recharge areas to discharge areas. Soils that are porous and permeable tend to transmit water and certain types of contaminants with relative ease to an aquifer below.

Just as ground water generally moves slowly, so do contaminants in ground water. Because of this slow movement, contaminants tend to remain concentrated in the form of a plume (see Figure 1) that flows along the same path as the ground water. The size and speed of the plume depend on the amount and type of contaminant, its solubility and density, and the velocity of the surrounding ground water.





Ground water and contaminants can move rapidly through fractures in rocks. Fractured rock presents a unique problem in locating and controlling contaminants because the fractures are generally randomly spaced and do not follow the contours of the land surface or the hydraulic gradient. Contaminants can also move into the ground water system through macropores—root systems, animal burrows, abandoned wells, and other systems of holes and cracks that supply pathways for contaminants.

In areas surrounding pumping wells, the potential for contamination increases because water from the zone of contribution, a land area larger than the original recharge area, is drawn into the well and the surrounding aquifer. Some drinking water wells actually draw water from nearby streams, lakes, or rivers. Contaminants present in these surface waters can contribute contamination to the ground water system. Some wells rely on artificial recharge to increase the amount of water infiltrating an aquifer, often using water from storm runoff, irrigation, industrial processes, or treated sewage. In several cases, this practice has resulted in increased concentrations of nitrates, metals, microbes, or synthetic chemicals in the water.

Under certain conditions, pumping can also cause the ground water (and associated contaminants) from another aquifer to enter the one being pumped. This phenomenon is called **interaquifer leakage**. Thus, properly identifying and protecting the areas affected by well pumping is important to maintain ground water quality.

Generally, the greater the distance between a source of contamination and a ground water source, the more likely that natural processes will reduce the impacts of contamination. Processes such as oxidation, biological degradation (which sometimes renders contaminants less toxic), and adsorption (binding of materials to soil particles) may take place in the soil layers of the unsaturated zone and reduce the concentration of a contaminant before it reaches ground water. Even

contaminants that reach ground water directly, without passing through the unsaturated zone, can become less concentrated by dilution (mixing) with the ground water. However, because ground water usually moves slowly, contaminants generally undergo less dilution than when in surface water

SOURCES OF GROUND WATER CONTAMINATION

Ground water can become contaminated from natural sources or numerous types of human activities. (See Tables 1 and 2 and Figure 1.)
Residential, municipal, commercial, industrial, and agricultural activities can all affect ground water quality. Contaminants may reach ground water from activities on the land surface, such as releases or spills from stored industrial wastes; from sources below the land surface but above the water table, such as septic systems or leaking underground petroleum storage systems; from structures beneath the water table, such as wells; or from contaminated recharge water.

■ Natural Sources

Some substances found naturally in rocks or soils, such as iron, manganese, arsenic, chlorides, fluorides, sulfates, or radionuclides, can become dissolved in ground water. Other naturally occurring substances, such as decaying organic matter, can move in ground water as particles. Whether any of these substances appears in ground water depends on local conditions. Some substances may pose a health threat if consumed in excessive quantities; others may produce an undesirable odor, taste, or color. Ground water that contains unacceptable concentrations of these substances is not used for drinking water or other domestic water uses unless it is treated to remove these contaminants.

■ Septic Systems

One of the main causes of ground water contamination in the United States is the effluent (outflow) from septic tanks, cesspools, and privies.



Category	Contaminant Source				
Agriculture	Animal burial areas	Irrigation sites			
	Animal feedlots	Manure spreading areas/pits			
	Fertilizer storage/use	Pesticide storage/use			
Commercial	Airports	Jewelry/metal plating			
	Auto repair shops	Laundromats			
	Boat yards	Medical institutions			
	Construction areas	Paint shops			
	Car washes	Photography establishments			
	Cemeteries	Railroad tracks and yards			
	Dry cleaners	Research laboratories			
	Gas stations	Scrap and junkyards			
	Golf courses	Storage tanks			
industrial	Asphait plants	Petroleum production/storage			
	Chemical manufacture/storage	Pipelines			
	Electronics manufacture	Septage lagoons and sludge sites			
	Electroplaters	Storage tanks			
	Foundries/metal fabricators	Toxic and hazardous spills			
	Machine/metalworking shops	Wells (operating/abandoned)			
	Mining and mine drainage	Wood preserving facilities			
Residential	Fuel oil	Septic systems, cesspools			
	Furniture stripping/refinishing	Sewer lines			
	Household hazardous products	Swimming pools (chemical storage)			
	Household lawns				
Other	Hazardous waste landfills	Recycling/reduction facilities			
	Municipal incinerators	Road deicing operations			
	Municipal landfills	Road maintenance depots			
	Municipal sewer lines	Storm water drains/basins			
	Open burning sites	Transfer stations			

Approximately one-fourth of all homes in the United States rely on septic systems to dispose of their human wastes. Although each individual system releases a relatively small amount of waste into the ground, the large number and widespread use of these systems makes them a serious contamination source. Septic systems that are improperly sited, designed, constructed, or maintained can contaminate ground water with bacteria, viruses, nitrates, detergents, oils, and chemicals. Along with these contaminants are the commercially available septic system cleaners containing syn-

thetic organic chemicals (such as 1,1,1-trichloroethane or methylene chloride). These cleaners can contaminate water supply wells and interfere with natural decomposition processes in septic systems.

Most, if not all, state and local regulations require specific separation distances between septic systems and drinking water wells. In addition, computer models have been developed to calculate suitable distances and densities.



Improper Disposal of Hazardous Waste

Hazardous waste should always be disposed of properly, that is to say, by a licensed hazardous waste handler or through municipal hazardous waste collection days. Many chemicals should not be disposed of in household septic systems, including oils (e.g., cooking, motor), lawn and garden chemicals, paints and paint thinners, disinfectants, medicines, photographic chemicals, and swimming pool chemicals. Similarly, many substances used in industrial processes should not be disposed of in drains at the workplace because they could contaminate a drinking water source. Companies should train employees in the proper use and disposal of all chemicals used on site. The many different types and the large quantities of chemicals used at industrial locations make proper disposal of wastes especially important for ground water protection.

Releases and Spills from Stored Chemicals and Petroleum Products

Underground and aboveground storage tanks are commonly used to store petroleum products and other chemical substances. For example, many homes have underground heating oil tanks. Many businesses and municipal highway departments also store gasoline, diesel fuel, fuel oil, or chemicals in on-site tanks. Industries use storage tanks to hold chemicals used in industrial processes or to store hazardous wastes for pickup by a licensed hauler. Approximately 4 million underground storage tanks exist in the United States and, over the years, the contents of many of these tanks have leaked and spilled into the environment.

If an underground storage tank develops a leak, which commonly occurs as the tank ages and corrodes, its contents can migrate through the soil and reach the ground water. Tanks that meet federal/state standards for new and upgraded systems are less likely to fail, but they are not foolproof. Abandoned underground tanks pose another problem because their location is often unknown. Aboveground storage tanks can also pose a threat to ground water if a spill or leak occurs and adequate barriers are not in place.

Improper chemical storage, sloppy materials handling, and poor-quality containers can be major threats to ground water. Tanker trucks and train cars pose another chemical storage hazard. Each year, approximately 16,000 chemical spills occur from trucks, trains, and storage tanks, often when materials are being transferred. At the site of an accidental spill, the chemicals are often diluted with water and then washed into the soil, increasing the possibility of ground water contamination.

Landfills

Solid waste is disposed of in thousands of municipal and industrial landfills throughout the country. Chemicals that should be disposed of in hazardous waste landfills sometimes end up in municipal landfills. In addition, the disposal of many household wastes is not regulated.

Once in the landfill, chemicals can leach into the ground water by means of precipitation and surface runoff. New landfills are required to have clay or synthetic liners and leachate (liquid from a landfill containing contaminants) collection systems to protect ground water. Most older landfills, however, do not have these safeguards. Older landfills were often sited over aquifers or close to surface waters and in permeable soils with shallow water tables, enhancing the potential for leachate to contaminate ground water. Closed landfills can continue to pose a ground water contamination threat if they are not capped with an impermeable material (such as clay) before closure to prevent the leaching of contaminants by precipitation.

■ Surface Impoundments

Surface impoundments are relatively shallow ponds or lagoons used by industries and municipalities to store, treat, and dispose of liquid wastes. As many as 180,000 surface impoundments exist in the United States. Like landfills, new surface impoundment facilities are required to have liners, but even these liners sometimes leak.



Product	Toxic or Hazardous Components
Antifreeze (gasoline or coolants systems)	Methanol, ethylene glycol
Automatic transmission fluid	Petroleum distillates, xylene
Battery acid (electrolyte)	Sulfuric acid
Degreasers for driveways and garages	Petroleum solvents, alcohols, glycol ether
Degressers for engines and metal	Chlorinated hydrocarbons, toluene, phenols, dichloroperchloroethylene
Engine and radiator flushes	Petroleum solvents, ketones, butanol, glycol ether
Hydraulic fluid (brake fluid)	Hydrocarbons, fluorocarbons
Motor oils and waste oils	Hydrocarbons
Gasoline and jet fuel	Hydrocarbons
Diesel fuel, kerosene, #2 heating oil	Hydrocarbons
Grease, lubes	Hydrocarbons
Rustproofers	Phenois, heavy metals
Car wash detergents	Alkyl benzene sulfonates
Car waxes and polishes	Petroleum distillates, hydrocarbons
Asphalt and roofing tar	Hydrocarbons
Paints, varnishes, stains, dyes	Heavy metals, tokuene
Paint and lacquer thinner	Acetone, benzene, toluene, butyl acetate, methyl ketones
Paint and varnish removers, deglossers	Methylene chloride, toluene, acetone, xylene, ethanol, benzene, methan
Paint brush cleaners	Hydrocarbons, toluene, acetone, methanol, glycol ethers, methyl ethyl ketones
Floor and furniture strippers	Xylene
Metal polishes	Petroleum distillates, isopropanol, petroleum naphtha
aundry soil and stain removers	Hydrocarbons, benzene, trichloroethylene, 1,1,1-trichloroethane
Other solvents	Acetone, benzene
Rock salt	Sodium concentration
Refrigerants	1,1,2-trichloro-1,2,2-trifluoroethane
Bug and tar removers	Xylene, petroleum distillates
fousehold cleansers, oven cleaners	Xylenols, glycol ethers, isopropanol
Drain cleaners	1,1,1-trichloroethane
oilet cleaners	Xylene, sulfonates, chlorinated phenols
Cesspool cleaners	Tetrachloroethylene, dichlorobenzene, methylene chloride
Disinfectants	Cresol, xylenois
Pesticides (all types)	Naphthalene, phosphorus, xylene, chloroform, heavy metals, chlorinalen hydrocarbons
Photochemicals	Phenols, sodium sulfite, cyanide, silver halide, potassium bromide
rinting ink	Heavy metals, phenoi-formaldehyde
Vood preservatives (creosote)	Pentachlorophenols
wimming pool chlorine	Sodium hypochlorite
ye or caustic soda	Sodium hydroxide
ewelry cleaners	Sodium cyanide



■ Sewers and Other Pipelines

Sewer pipes carrying wastes sometimes leak fluids into the surrounding soil and ground water. Sewage consists of organic matter, inorganic salts, heavy metals, bacteria, viruses, and nitrogen. Other pipelines carrying industrial chemicals and oil brine have also been known to leak, especially when the materials transported through the pipes are corrosive.

Pesticide and Fertilizer Use

Millions of tons of fertilizers and pesticides (e.g., herbicides, insecticides, rodenticides, fungicides, avicides) are used annually in the United States for crop production. In addition to farmers, homeowners, businesses (e.g., golf courses), utilities, and municipalities use these chemicals. A number of these pesticides and fertilizers (some highly toxic) have entered and contaminated ground water following normal, registered use. Some pesticides remain in soil and water for many months to many years. Another potential source of ground water contamination is animal wastes that percolate into the ground from farm feedlots. Feedlots should be properly sited and wastes should be removed at regular intervals.

Between 1985 and 1992, EPA's Office of Pesticides and Toxic Substances and Office of Water conducted a National Pesticide Survey to determine the number of drinking water wells nationwide that contain pesticides and nitrates and the concentration of these substances. The survey also analyzed the factors associated with contamination of drinking water wells by pesticides and nitrates. The survey, which included samples from more than 1,300 public community and rural domestic water supply wells, found that approximately 3.6 percent of the wells contained concentrations of nitrates above the federal maximum contaminant level, and that over half of the wells contained nitrates above the survey's minimum reporting limit for nitrate (0.15 mg/L).

The survey also reported that approximately 0.8 percent of the wells tested contained pesticides at

levels higher than federal maximum contaminant levels or health advisory levels. Only 10 percent of the wells classified as rural were actually located on farms. There is a higher incidence of contamination by agricultural chemicals in farm wells used for drinking water.

After further analysis, EPA estimated that for the wells that contain pesticides, a significant percentage probably contain chemical concentrations that exceed the federal health-based limits (e.g., maximum contaminant levels or health advisory levels). Approximately 14.6 percent of the wells tested contained levels of one or more pesticides above the minimum reporting limit set in the survey. The most common pesticides found were atrazine and metabolites (breakdown products) of dimethyl tetrachloroterephthalate (DCPA, commonly known as Dacthal), which is used in many utility easement weed-control programs and for lawn care.

■ Drainage Wells

Drainage wells are used in wet areas to help drain water and transport it to deeper soils. These wells may contain agricultural chemicals and bacteria.

■ Injection Wells/Floor Drains

Injection wells are used to collect storm water runoff, collect spilled liquids, dispose of wastewater, and dispose of industrial, commercial, and utility wastes. These wells are regulated by the U.S. EPA's Underground Injection Control Program. In New England, these wells may not be used to inject hazardous wastes from industrial, commercial, and utility operations. The injection wells used in this region are typically shallow and include sumps and dry wells used to handle storm water.

Floor drains were historically used by businesses to handle spills. Today, if a business operates or handles waste fluids that drain to a septic system, dry well, or floor drain, it is required to submit information regarding its operation to the U.S. EPA or its state environmental protection agency. Disposal wells that pose threats to drinking water supplies are prohibited and must be closed, con-



nected to a public sewage system, or connected to a storage tank.

■ Improperly Constructed Wells

Problems associated with improperly constructed wells can result in ground water contamination when contaminated surface or ground water is introduced into the well.

■ Improperly Abandoned Wells

These wells can act as a conduit through which contaminants can reach an aquifer if the well casing has been removed, as is often done, or if the casing is corroded. In addition, some people use abandoned wells to dispose of wastes such as used motor oil. These wells may reach into an aquifer that serves drinking supply wells. Abandoned exploratory wells (e.g., for gas, oil, or coal) or test hole wells are usually uncovered and are also a potential conduit for contaminants.

■ Active Drinking Water Supply Wells

Poorly constructed wells can result in ground water contamination. Construction problems, such as faulty casings, inadequate covers, or lack of concrete pads, allow outside water and any accompanying contaminants to flow into the well. Sources of such contaminants can be surface runoff or wastes from farm animals or septic systems. Contaminated fill packed around a well can also degrade well water quality. Well construction problems are more likely to occur in older wells that were in place prior to the establishment of well construction standards and in domestic and livestock wells.

■ Poorly Constructed Irrigation Wells

These wells can allow contaminants to enter ground water. Often pesticides and fertilizers are applied in the immediate vicinity of wells on agricultural land.

■ Mining Activities

Active and abandoned mines can contribute to ground water contamination. Precipitation can leach soluble minerals from the mine wastes (known as spoils or tailings) into the ground water below. These wastes often contain metals, acid, minerals, and sulfides. Abandoned mines are often used as wells and waste pits, sometimes simultaneously. In addition, mines are sometimes pumped to keep them dry; the pumping can cause an upward migration of contaminated ground water, which may be intercepted by a well.

EFFECTS OF GROUND WATER CONTAMINATION

Contamination of ground water can result in poor drinking water quality, loss of water supply, degraded surface water systems, high cleanup costs, high costs for alternative water supplies, and/or potential health problems.

The consequences of contaminated ground water or degraded surface water are often serious. For example, estuaries that have been impacted by high nitrogen from ground water sources have lost critical shellfish habitats. In terms of water supply, in some instances, ground water contamination is so severe that the water supply must be abandoned as a source of drinking water. In other cases, the ground water can be cleaned up and used again, if the contamination is not too severe and if the municipality is willing to spend a good deal of money. Follow-up water quality monitoring is often required for many years.

Because ground water generally moves slowly, contamination often remains undetected for long periods of time. This makes cleanup of a contaminated water supply difficult, if not impossible. If a cleanup is undertaken, it can cost thousands to millions of dollars.

Once the contaminant source has been controlled or removed, the contaminated ground water can be treated in one of several ways:

- Containing the contaminant to prevent migration.
- Pumping the water, treating it, and returning it to the aquifer.



- Leaving the ground water in place and treating either the water or the contaminant.
- Allowing the contaminant to attenuate (reduce) naturally (with monitoring), following the implementation of an appropriate source control.

Selection of the appropriate remedial technology is based on site-specific factors and often takes into account cleanup goals based on potential risk that are protective of human health and the environment. The technology selected is one that will achieve those cleanup goals. Different technologies are effective for different types of contaminants, and several technologies are often combined to achieve effective treatment. The effectiveness of treatment depends in part on local hydrogeological conditions, which must be evaluated prior to selecting a treatment option.

Given the difficulty and high costs of cleaning up a contaminated aquifer, some communities choose to abandon existing wells and use other water sources, if available. Using alternative supplies is probably more expensive than obtaining drinking water from the original source. A temporary and expensive solution is to purchase bottled water, but it is not a realistic long-term solution for a community's drinking water supply problem. A community might decide to install new wells in a different area of the aquifer. In this case, appropriate siting and monitoring of the new wells are critical to ensure that contaminants do not move into the new water supplies.

Potential Health Problems

A number of microorganisms and thousands of synthetic chemicals have the potential to contaminate ground water. Drinking water containing bacteria and viruses can result in illnesses such as hepatitis, cholera, or giardiasis. Methemoglobinemia or "blue baby syndrome," an illness affecting infants, can be caused by drinking water that is high in nitrates. Benzene, a component of

gasoline, is a known human carcinogen. The serious health effects of lead are well known—learning disabilities in children; nerve, kidney, and liver problems; and pregnancy risks. Concentrations in drinking water of these and other substances are regulated by federal and state laws. Hundreds of other chemicals, however, are not yet regulated, and many of their health effects are unknown or not well understood. Preventing contaminants from reaching the ground water is the best way to reduce the health risks associated with poor drinking water quality.

REGULATIONS TO PROTECT GROUND WATER

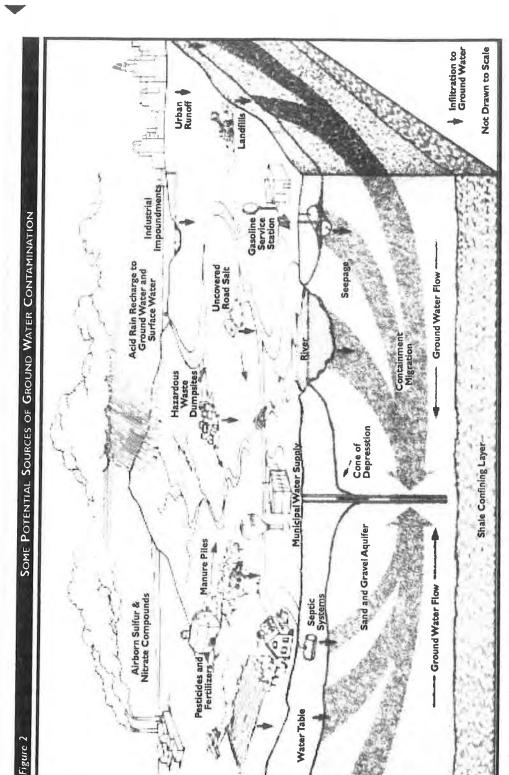
Several federal laws help protect ground water quality. The Safe Drinking Water Act (SDWA) established three drinking water source protection programs: the Wellhead Protection Program, Sole Source Aquifer Program, and the Source Water Assessment Program. It also called for regulation of the use of underground injection wells for waste disposal and provided EPA and the states with the authority to ensure that drinking water supplied by public water systems meets minimum health standards. The Clean Water Act regulates ground water that is shown to have a connection with surface water. It sets standards for allowable pollutant discharges to surface water. The Resource Conservation and Recovery Act (RCRA) regulates treatment, storage, and disposal of hazardous and nonhazardous wastes. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund) authorizes the government to clean up contamination or sources of potential contamination from hazardous waste sites or chemical spills, including those that threaten drinking water supplies. CERCLA includes a "community right-toknow" provision. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) regulates pesticide use. The Toxic Substances Control Act (TSCA) regulates manufactured chemicals.



KEY TERMS

- Clean Water Act
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- Interaquifer Leakage
- Plume
- Resource Conservation and Recovery Act (RCRA)
- Safe Drinking Water Act
- Toxic Substances Control Act (TSCA)
- Zone of Contribution

[&]quot;Getting Up to Speed" for section C, "Ground Water Contamination" is adapted from US EPA Seminar Publication. Wellhead Protection: A Guide for Small Communities. Chapter 3. EPA/625/R-93/002.



Source: Paly, Melissa and Lee Steppacher. The Power to Protect Three Stories about Ground Water, U.S.E.P.A. Massachusetts Audubon Society and NEIWPCC.

From: Annette & Jeff <annettejeff@kc.rr.com>

Sent: Saturday, June 29, 2019 7:16 PM

To: Joseph, Jeff; PZ

Subject:Kaw Valley Sand pit concernsAttachments:KS county population.pdf

To the Leavenworth County Planning and Zoning Commissioners:

Hello! My name is Annette Manion. I am an optometrist practicing in Prairie Village for the past 17 years. In 2017 my husband and I purchased 10 acres of land on 170th St. We want a rural, residential lifestyle. We want to escape our noisy, Johnson County neighborhood where our neighbor's house is 16 feet away. We did our homework before purchasing this land. It is in an area zoned rural, residential as per your

www.leavenworthcounty.gov/publications/cr1study.pdf from 2018 (on page 11). Additionally, 170th Street doesn't allow commercial vehicles. We have been very excited to begin building our home this summer until we heard the news of the multiple, noisy, large trucks that could be a possibility on our road. We want what Leavenworth County is selling: a rural, residential lifestyle. We are not the only ones who want that, as documented in the census data from 2000-2010. During that time frame, Leavenworth county grew 11% and 5% was from net migration.

Only 5 out of 105 counties in Kansas grew by 11% or more in that time period.

http://www.ipsr.ku.edu/ksdata/ksah/population/2pop14.pdf

The proposed Kaw Valley Sand Pit does NOT fit into a rural, residential lifestyle due to the noise and large, heavy trucks associated with it. A different manufacturing plant would fit here, something like a factory where people drive their cars to work and the noise is contained in the building. Or better yet, something that supports the rural, residential lifestyle like apartments, restaurants, and a grocery store. Even though it is a flood plain, I believe this area can be used to benefit the community like the golf course does. The proposed Kaw Valley sand pit would harm the land and the rural, residential lifestyle for decades.

I feel that when we bought our land in an area zoned rural residential, the local government was promising to support it as that: a rural, residential area. Please don't break that promise. The census confirms people want to live in Leavenworth County for the rural, residential lifestyle. We bought here for that reason.

Thank you for your time and consideration.

Annette S. Manion, O. D. annettejeff@kc.rr.com 913-422-5898

From: Jan Cam <jancam25@hotmail.com>
Sent: Thursday, July 04, 2019 11:48 AM

To: Voth, Krystal Cc: Jan Cam

Subject: Reconsider sand pit for Kaw Valley

I know no decision has officially been made on the proposed Kaw Valley sand pit. Please consider things from my point of view.

I have lived on Cantrell Road for 40 years. It has been a nice, quiet, rural community. I would hate to see that change for the monetary benefit of one company.

The number and weight of sand trucks will literally destroy our roads.

The number of traffic accidents will increase exponentially, including some fatalities, no doubt.

School buses also use these roads and need to stop to pick up students.

I am officially a senior citizen. It is frightening to try to turn into 158th from Cantrell now, without having 80,000 pounds of sand and a truck barreling at you. I am 67, not 80, but this proposal makes me want to move.

Proper studies have not been done on road use, including school buses.

There are no shoulders on 158th Street

This is a very curvy, windy road and not forgiving. What a dangerous proposition this is.

Bonner Springs will be heavily affected as well. The increased truck traffic will increase the need for road improvements there, and perhaps more traffic signals. This negatively impacts Bonner residents' quality of life.

Have you researched the traffic accidents that occur at 158th and K32? This intersection needs much study, and perhaps a traffic signal, due to the large number of accidents there.

There is a safety issue regarding the silica the plant will launch into the environment.

Sand spilling onto our roads is a safety issue, especially for our motorcycle riders.

Please, please do your due diligence on this issue. It is NOT an economic plus for the county. It will destroy our quality of life for generations.

Thank you, Janis Camerlinck

Get Outlook for Android

From: Jessica Martell <martelljm@gmail.com>
Sent: Thursday, July 04, 2019 10:12 AM

To: Joseph, Jeff; PZ **Subject:** Industrial Sand Pit

JMJ

Dear Mr. Jeff Joseph,

I live in southern Leavenworth County. Please prevent the proposed industrial sand pit. It will drive our property values down, cause the roads to be unsafe for my children to bicycle on and fill the peaceful air with industrial noise and filth. I look forward to hearing back from you. Thank you!

Sincerely, Mrs. Jessica Martell 14725 Kreider Rd. Bonner Springs, Ks 66012

"O Heart of Love, I place all my trust in Thee: for though I fear all things from my weakness, I hope all things from Thy Mercy..."

From: Joseph, Jeff

Sent:Monday, July 01, 2019 12:53 PMTo:Sloop, Stephanie; Voth, KrystalSubject:FW: Proposed Industrial Sand Pit

From: Jeannie Garies [mailto:jmgaries@gmail.com]

Sent: Sunday, June 30, 2019 9:10 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>

Subject: Proposed Industrial Sand Pit

Dear Jeff,

My name is Jeannie Garies and I live at 15115 Loring Road, Bonner Springs, KS 66012 in Leavenworth County. I want you to know how strongly I am opposed to this proposed industrial sand pit on 166th St. in our county. I move to Leavenworth County from Johnson County almost 20 years ago for the quiet, peaceful, rural community atmosphere. This sand pit will be a disaster to our quality of life!

- 1. Our roads now aren't maintained well enough to sustain the traffic we currently have. What will happen when 100 dump trucks weighing approximately 80,000 pounds are using them daily?
- 2. We have a lot of motorcycle and bicycle traffic as well as other special events that use our road. I'm very concerned about the safety of these individuals from the limited sight in the trucks and the sand and dust on the road.
- 3. The noise from the pumps, augers, conveyors, diesel engines, and truck traffic will be atrocious.
- 4. Our water tables are in this area. What will happen io our water if they start backfilling this pit with hazardous materials?
- 5. This sand will be hauled from 166th St. in Leavenworth County to a plant in Edwardsville in Wyandotte County. From my understanding the taxes are collected at point of sale. How does Leavenworth County benefit economically from this venture?

This industrial sand pit does not fit in our area at all and I want you to know about my concerns. I look forward to hearing your thoughts. Sincerely, Jeannie Garies

Jeannie Garies

15115 Loring Road, Bonner Springs, KS 66012

Cell: 816-560-8035

Email: jmgaries@gmail.com

"WE MAKE A LIVING BY WHAT WE GET. WE MAKE A LIFE BY WHAT WE GIVE." -Winston Churchill

GO NAVY BEAT ARMY!!!

Gus-Navy Swimming/Diving
5C '18

From: Joseph, Jeff

Sent: Monday, July 01, 2019 12:46 PM **To:** Sloop, Stephanie; Voth, Krystal

Subject: FW: SAND PIT

From: David Peck [mailto:dpeck2100@gmail.com]

Sent: Monday, July 01, 2019 10:55 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>; Judy Peck <jpeck901@gmail.com>

Subject: SAND PIT

Mr. Joseph,

My wife and I are members of Burning Tree golf club. The proposed sand pit will ruin the golf experience and destroy that section of Leavenworth County. We request this proposal be denied. Thanks for considering our concerns.

__

David Peck

Leavenworth County Planning & Zoning Leavenworth County Kansas

Re: Kaw Valley Companies Proposed Special Use Permit

Southern Leavenworth County

We are strongly opposed to the proposal application for Special Use Permit to Kaw Valley Companies for a sand operation in southern Leavenworth County, Kansas.

Truck Routes:

Resolution 2009-50 debated in many instances since 2009 clarifies no commercial vehicle routes and indicates as the only truck route is Leavenworth County Route 1. The resolution references "thoroughfares by commercial vehicles is incompatible with the normal safe movement of said vehicles."

The intersection @ K-32 and 158th where numerous accidents have occurred on record needs to be addressed immediately before any action on this proposed Special Use Permit. [right and left turn lanes, stop lights, and the site line reduced to the east side as the hill interferes with proper sight approaching a dangerous intersection.]

On our property we have a Special Use Permit for and Adult Special Needs Day Service Program. We have a few folks coming and going every day. This proposal will impact our associate's safety and maneuverability.

Traffic:

On Tuesday May 28, 2019 an E4 Tornado hit, which directly affected our property, but not a severe as others. Over the next 72 hours and within 30 minutes of this storm, the traffic increased dramatically. Hundreds of cars, contractors, on lookers, news vans etc. causing much delay in getting to those in need – especially through the K-32 & 158th intersection. This tragic event should have opened the County's eyes to potential traffic & safety issues to allowing a large company operating many trucks every day for the next 20+ years.

Safety:

Are 200-300 trucks a day safe traffic flow on a daily basis? Does the county have the infrastructure to handle quick responses to accidents which include volunteer only services, increased sheriff patrols, monitoring speed zones, adding shoulder construction for emergencies, provide road cleaning from sand and debris, and monthly maintenance to repair roads and bridges? Will the county require KDOT to improve intersections for this proposed flow? How do residents get mail along a busy road that cannot handle the truck widths, speed and drivers whom speed as they are paid by the load?

Overall Facts

Roads & Bridges Not Designed to Handle Truck Traffic $\,$ & Tons Proposed No Emergency Road Shoulders

K-32 & 158th Intersection Traffic – Safety Huge Issue

Speed of Commercial Truck Companies Paying Employees by the Load is a Safety Issue

Infrastructure to Handle Emergencies with Increased Traffic by "Volunteer Agencies"

Public Safety Personnel to Handle the Increased Load in Southern Leavenworth County

Residents Safety at Risk Just Seeking Their Mail

Commission Meetings Documenting Small Business Only for Truck Hauling [Kaw Valley Companies are Big Business]

We are not opposed to progress, but this proposal dramatically affects our property, safety and quality of life in southern Leavenworth County. Is this proposal about a large amount of good paying jobs or providing for the public safety of its residences?

Steve & Carol Farnsworth

From: Jan Cam <jancam25@hotmail.com>
Sent: Thursday, July 04, 2019 11:48 AM

To: Voth, Krystal Cc: Jan Cam

Subject: Reconsider sand pit for Kaw Valley

I know no decision has officially been made on the proposed Kaw Valley sand pit. Please consider things from my point of view.

I have lived on Cantrell Road for 40 years. It has been a nice, quiet, rural community. I would hate to see that change for the monetary benefit of one company.

The number and weight of sand trucks will literally destroy our roads.

The number of traffic accidents will increase exponentially, including some fatalities, no doubt.

School buses also use these roads and need to stop to pick up students.

I am officially a senior citizen. It is frightening to try to turn into 158th from Cantrell now, without having 80,000 pounds of sand and a truck barreling at you. I am 67, not 80, but this proposal makes me want to move.

Proper studies have not been done on road use, including school buses.

There are no shoulders on 158th Street

This is a very curvy, windy road and not forgiving. What a dangerous proposition this is.

Bonner Springs will be heavily affected as well. The increased truck traffic will increase the need for road improvements there, and perhaps more traffic signals. This negatively impacts Bonner residents' quality of life.

Have you researched the traffic accidents that occur at 158th and K32? This intersection needs much study, and perhaps a traffic signal, due to the large number of accidents there.

There is a safety issue regarding the silica the plant will launch into the environment.

Sand spilling onto our roads is a safety issue, especially for our motorcycle riders.

Please, please do your due diligence on this issue. It is NOT an economic plus for the county. It will destroy our quality of life for generations.

Thank you, Janis Camerlinck

Get Outlook for Android

From: Vicki McCarty <v.mccarty@hotmail.com>

Sent: Friday, July 05, 2019 6:54 AM

To: Voth, Krystal

Subject: Sand Pit/ Southern Leavenworth County

Good morning Ms. Voth

I would like to express my thoughts and feelings on the subject of the Sand Pit permit that is pending for the Southern tip of Leavenworth County residents.

I am sure you've been flooded with emails, some filled with angry words and many reasons as to why we are opposed to this project.

I don't have angry words and my reasons are probably the same as others who have written to you. Concerns about pollution, noise, traffic. I agree with all of those.

We've been here 18 years now, working hard on our home and finally getting it where we are happy. New white fencing for our 10 horses, remodeling has been done and a new kitchen in the near future. I work in Overland Park and coming home to my peaceful country setting is about all that I have to keep me sane sometimes.

So to drive with up to 200 trucks clogging the road by the railroad tracks, the constant noise we would hear on this hill would not be my safe and quiet place to be. There is a half mile of trees between us and the railroad track. Trees are only in leaf six months a year plus the fact the sound carries up the hill and sounds like trains in our pasture many times. Trees do not stop noise. I moved here with the train noise and accept it. I find it hard to accept the sand pit noise.

I also hate to see a thriving business end up closed down due to this project. The golf course tree line suggestion will not work to keep noise and pollution out, besides the fact it will take many years for the trees to mature. People play golf to relax in nature. There will be no relaxing there with an industrial site in full working order next to it.

But the main concern I have is the truck traffic and the safety. My husband was a terminal manager for a trucking company for years. He knows that contract drivers paid by the load are going to take the quickest route in and out of our area. None of the roads are able to tolerate this stress plus the school buses, the wildlife crossing the roads, the charity runs and biking events along these country roads would all be endangered

There are many reasons that I know you have heard over and over so I will not repeat them. I just simply ask that this project is not forced upon this quiet residential rural neighborhood, knowing it will destroy the quality of life for both wildlife and people alike

Thank you for your time

Vicki McCarty

12490 166th St Leavenworth KS 66052 816-210-9215

From: Jessica Martell <martelljm@gmail.com>
Sent: Thursday, July 04, 2019 10:12 AM

To: Joseph, Jeff; PZ **Subject:** Industrial Sand Pit

JMJ

Dear Mr. Jeff Joseph,

I live in southern Leavenworth County. Please prevent the proposed industrial sand pit. It will drive our property values down, cause the roads to be unsafe for my children to bicycle on and fill the peaceful air with industrial noise and filth. I look forward to hearing back from you. Thank you!

Sincerely, Mrs. Jessica Martell 14725 Kreider Rd. Bonner Springs, Ks 66012

"O Heart of Love, I place all my trust in Thee: for though I fear all things from my weakness, I hope all things from Thy Mercy..."

From: Vicki McCarty <v.mccarty@hotmail.com>

Sent: Friday, July 05, 2019 6:54 AM

To: Voth, Krystal

Subject: Sand Pit/ Southern Leavenworth County

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I don't have angry words and my reasons are probably the same as others who have written to you. Concerns about pollution, noise, traffic. I agree with all of those.

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I also hate to see a thriving business end up closed down due to this project. The golf course tree line suggestion will not work to keep noise and pollution out, besides the fact it will take many years for the trees to mature. People play golf to relax in nature. There will be no relaxing there with an industrial site in full working order next to it.

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There are many reasons that I know you have heard over and over so I will not repeat them. I just simply ask that this project is not forced upon this quiet residential rural neighborhood, knowing it will destroy the quality of life for both wildlife and people alike

Thank you for your time

Vicki McCarty

12490 166th St Leavenworth KS 66052 816-210-9215

From:

southcounty < southcounty@aol.com>

Sent:

Friday, June 28, 2019 2:47 PM

To: Subject: tingram@cfse.com; Joseph, Jeff; Voth, Krystal Lenape Sand Pit - Real Time Study with Residents

Attachments:

FB_IMG_1561583046888.jpg; Resized_20190612_145050.jpeg; FB_IMG_

1560202369008.jpg; FB_IMG_1560202494973.jpg; FB_IMG_1560202476248.jpg

Subject: Lenape Sand Pit

I am reviewing the documents CFSE prepared for the Kaw Valley sand pit study.

Very sadly missing is any input from the residents of SE Leavenworth County.... those very residents, their children and grandchildren would will have to live with... the noise, dust and dirt, heavily loaded sand truck, lowered property values and a negatively affected quality of life....

for over 25 years and more....actually,

the atmosphere of the area will be forever changed.

Not one adherence to the Kansas Supreme Court ordered Golden Rules that the Leavenworth County PZ has on their web page and operational guidelines.

Kaw Valley has clearly stated they plan on buying up as much land as possible.

Why were none of the residents invited on the on-site studies?

Were any officials of Burning Tree contacted?

Why does the City of DeSoto have more input than the affected residents?

Why were there conversations with the Board of County Commissioners and not the residents?

An electric hydraulic pump still makes audible and vibrational noises.

Any piece of equipment causes distress to wildlife and humans.

24 hour operations and noise and lights? Who could possibly published that they planned to affect a area like that?

What oversite was suggested? How would it be enforced. What about the vandalism issue that was originally mentioned? This is an attractive nuisance to area "joyriders" that Kaw Valley was concerned about.

The PZ misson statement refers to keeping the rural atmosphere in our county. Sand Pit operations do not contribute to this mission statement.

We can provide numerous visual information studies regarding the traffic in the sand pit area if you wish. Impact fees will in no way address them.

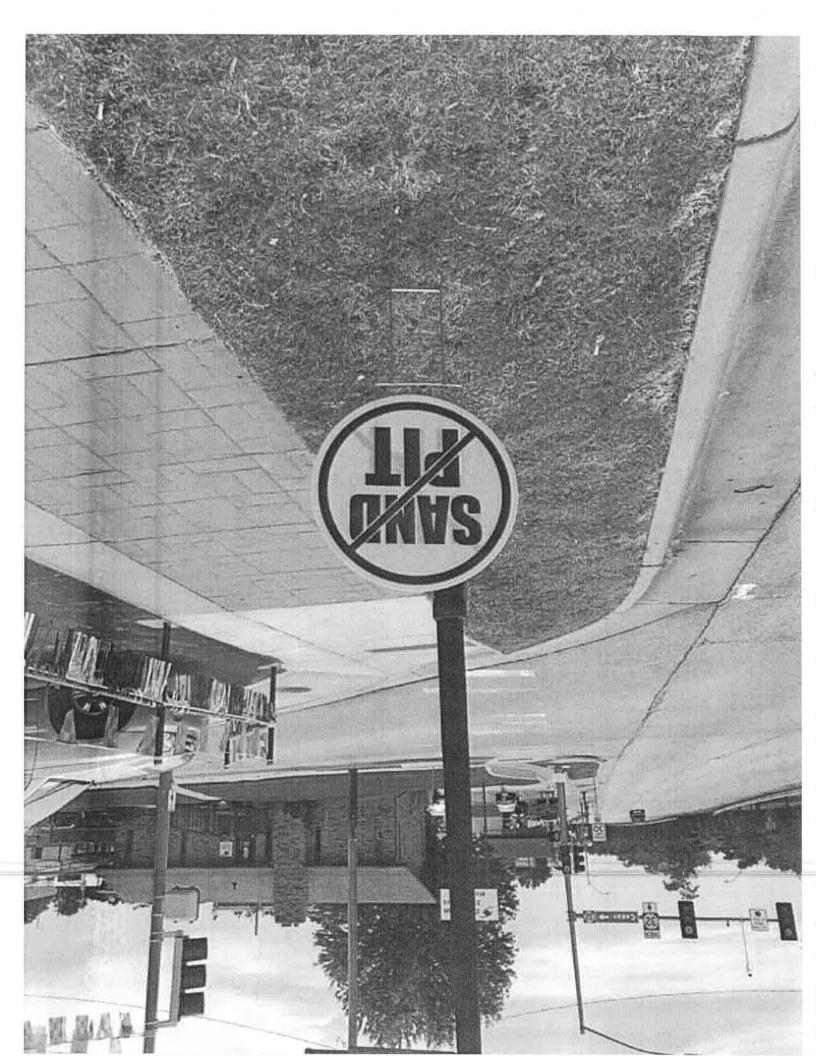
The two additional lanes at the entrance to the pit will only make the drag racing in the area more dangerous and deadly.

We can provide a complete study, not a slanted study to anyone you wish.

Good Afternoon, Anne Erickson SE Leavenworth County Resident 913 220 8565

I have studied this issue extensively if you need real time additional information.

We, additionally, require a public health impact study. The few words saying there are no known health issues is not true. There are numerous studies on how a sand pit operations and the associated issues contribute to a decreased quality of life and long term and permanent detrimental health consequences.



KEEP OUT

DEEP EXCAVATION RISK OF DROWNING RISK OF FALLING





From:

Jeanette Klamm < jrklamm@yahoo.com>

Sent:

Wednesday, June 12, 2019 5:48 PM

To:

PΖ

Subject:

Sand pit

Dear Planning and Zoning Commission members,

It is becoming critical that Leavenworth County find a means of promoting itself for industry and business. Without the tax base from these entities, this county will continue on the path of being a bedroom community and fall behind our neighboring counties. We have successfully deterred Tyson and now the NIMBYs are after the proposed sand pit, which sends the clear message that Leavenworth County is anti-business. Roof tops alone do not provide for a tax base that is adorable.

Although I understand the neighboring property owners not wanting the sand pit "in their backyard", the concerns that they continue to spread are ridiculous and untrue with their only purpose to gain support and spread fear. For example, the number of trucks they have been quoting have multiplied from 20 to 200 to the latest figure of 400 per day. This isn't even possible.

Therefore I am requesting a sincere look at the potential message that you may send to industries that may be considering moving to this county. And ultimately choose to approve this proposed permit application for the future of the entire county.

Thanks for your time. Jeanette Klamm

Sent from Yahoo Mail on Android

From:

Jason Hinkle <jhinkle@lenexa.com>

Sent:

Saturday, June 15, 2019 10:49 AM

To:

Joseph, Jeff

Cc:

Loughry, Mark; PZ; Loughry, Mark

Subject:

Kaw Valley Sand Pit

Mr. Joseph,

We are adamantly opposed to the proposed Kaw Valley Sand Pit in Southern Leavenworth County. While I grew up in the DeSoto School District it was my desire to move to the country to raise our family. We have now lived in Leavenworth County for almost 20 years.

I have extensive concerns about the proposed truck routes on our county roads. The amount and type of traffic pose a significant safety risk for the motoring public. The excessive light and noise pollution alone would turn our tranquil country living upside down. We also have environmental concerns about the impact to air quality, water pollution, and how this will distress wildlife. This will all most certainly devalue homes on both sides of the river. The residents of DeSoto certainly aren't thrilled about this project either.

We currently live less than three miles from the proposed location. There is little to no benefit to our county to allow this sand pit to be in operation. This does not promote public health, safety or welfare for our citizens. I would ask that you confirm receipt of this email and forward my opinions to the Planning Commission as well as the Board of County Commissioners.

Respectfully,

Jason Hinkle 17000 Morning Deer RD Linwood, KS 66052

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From:

Grisell,Liz <Liz.Grisell@Cerner.com>

Sent: To: Tuesday, June 25, 2019 2:19 PM

Subject:

Kaw Valley Sand Pit Proposal Concerns

Joseph, Jeff; Loughry, Mark; PZ; Loughry, Mark

To Whom it May Concern -

My husband and I are unable to attend the meeting this evening and wanted to ensure our voice was heard. We are extremely opposed to the Kaw Valley Sand Pit proposal in Southern Leavenworth County. We live on Morning Deer Road where it intersects with 170th street. We moved out to Leavenworth County about 6 years ago to get out of the city/traffic/noise and enjoy the peace and quiet. The initial concern with the sand pit is the noise factor. Our current tranquil living will be completely changed with this project. We have invested a lot into our home and want to do everything we can to keep this same living style.

We also have huge concerns about the proposed truck routes on our county roads. The increased volume and type of traffic pose a significant safety risk for the public who heavily use these roads daily, like us. The excessive light and noise pollution would make things very unpleasant for us. We also have environmental concerns about the impact to air quality, water pollution, and how this will affect the wildlife. We are also concerned about our homes being de-valued. We have invested a lot in our home/property/land/livestock and want to ensure we keep things how they are to no upset this serene living.

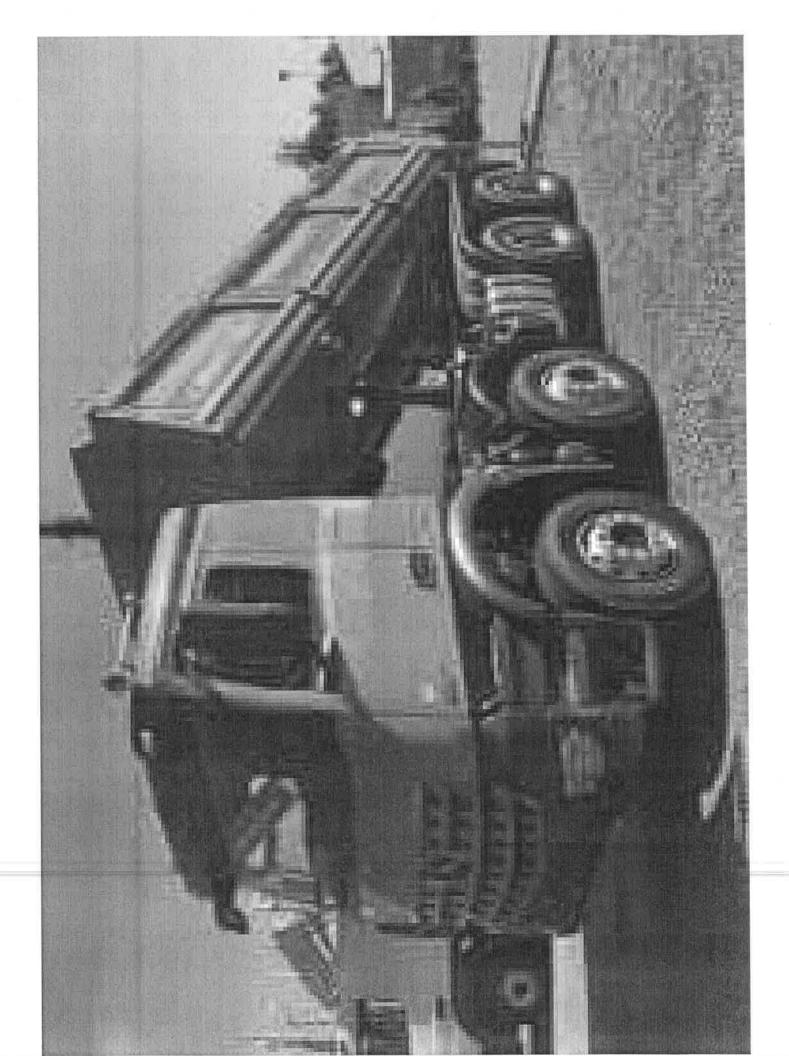
Our home is located less than three miles from the proposed location of the pit and ask that these concerns be heard. There is little to no benefit to our county to allow this sand pit to be in operation. This does not promote public health, safety or welfare for our residents/citizens. I would ask that you please acknowledge receipt of this email and forward on our concerns to the Planning Commission as well as the Board of County Commissioners.

Sincerely,

Very concerned residents,

Liz & Mike Grisell 17043 Morning Deer Rd. Linwood, KS 66052

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June 28, 2019

Leavenworth County Planning and Zoning Department Attn: Jeff Joseph, Director 300 Walnut Street, Ste 030 Leavenworth, KS 66048

Subject: Proposed Special Use Permit for Kaw Valley Lenape Sand Quarry (DEV-19-008)

Mr. Joseph:

As a quick introduction, I am Rachel Clyne, City Planner for the City of Bonner Springs, Kansas. The City requests open communication with your department regarding the proposed sand quarry project, the land use application process, and the effects of the Lenape Sand Quarry SUP approval to our community.

In the spirit of regional cooperation, staff would like to participate in the coordination of the truck route as the significant increase in heavy truck traffic will impact the City of Bonner Springs and School District USD 204. The coordination efforts amongst staff can ensure the traffic route to and from the quarry and the processing plant is adequately designed to allow for safe and efficient travel.

Safety is a considerable concern of the City and School District (USD 204) as the Middle and High Schools are located adjacent to Kaw Drive (K-32). The Bonner Springs Elementary School is located two (2) blocks south of K-32, which strengthens the obligation to consider the safety of children on crosswalks. Additionally, the School's bus routes, both morning and afternoon, are likely to be affected as the sand trucks are to begin traveling shortly after 7:00 a.m., throughout the day, and returning during the 3 o'clock hour.

Please contact me to establish a time to discuss the SUP project prior to the Planning Commission meeting on July 10th. With the exception of the next week's holiday, my schedule is fairly flexible. I look forward to speaking with you or your staff soon.

Respectfully,

Rachel Clyne City Planner

Community & Economic Development

913-667-1708

rclyne@bonnersprings.org

From:

Mary Lombardo < marylombardo 14@gmail.com>

Sent:

Wednesday, June 26, 2019 9:49 AM

To:

Joseph, Jeff; PZ

Subject:

Golden List for SUP of Lenape Sand Quarry

To the Zoning Commissioner and Planning and Zoning, Is there any documentation that you can share with the public showing consideration for the 8 factors of the Golden list in reference to the SUP for Lenape Sand Quarry? Written or video?

The first 8 factors above are part of the famous "Golden Case" and were cited by the court as the minimum issues that a governing body should examine when considering a rezoning of property. A Special Use Permit grants specific changes to the zoning for a property and therefore must consider the same issues. The staff report should provide information on these issues, but their findings should be referenced by the Commission in motions and discussion. Improper consideration of or lack of reference to these factors will most likely result in a court overturning the decisions of the Board or Commission if challenged.

Thank you for your time, Sincerely,
Mary E Lombardo
913-205-8984

Deposite jobs as well as a necessary good. Sand is used to produce concrete and asphalt. Sand is als used to mitigate flooding. The operations at the site will result in an increase of the second to be and welfare are unlikely to be a second to be and welfare are unlikely to be a second to through road improvements and impact fees.

Industrial mining of sand is a common use in floodplain areas along rivers. The current zoning of the 7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Floodplai

TINDERY LIVING TRUST 16104 Golden Road Linwood, Ks 46052

County of LEAVEHWOITH State of Kansas LEAUENWORTH County PlANNING COMMISSION LEAUEN NORTH COUNTY COMMISSIONERS

Sirs: WE ARE WRITING YOU IN REGARD to the PERMIT (DEV-19-008) Sought by KAW VAILEY COMPANIES,
THE. - LEMADE SAND QUARRY FOR OPEN PIT INIMING
Of SAND, PARCEL ID & 235-22-0-00-004.00.

have lived in this home since 1957. When we moved here it was remote and private. There was not A bridge over the Kno River, And All Roads in the AREH WERE dirt ROADS. SINCE then, the bridge lending off 166th Street to DESO to was built, and our property was cut in two to build Golden Road And 158th Street which today is a virtual race TRACK At times, A NARROW WINDING ROAD WITH NO Shoulders. WE feel the Addition of 200 plus heavy trucks making round trips per day would damage our ROADS AS WELL PAS CHUSE CONSIDERABLE ACCIDENTS, ESPECIALLY ON the present bridges And intersections, which ARE drangerous at present,

As a past school bus drivER, WE GREATLY WORRY About the Students getting on and off the busies

Along the proposed Router !

WE have adjusted to All the changes since 1957, but feel it would be hard to recept the dust, Moise, danger AND desecration of the Lord's RARTH proposed in this permit under consideration.

If you Board members ARE Not familiar with this site, we urge you to visit it - A bEAUTIFUL, tranquil part of LEAVENWORTH County, WE ASK you to deny this permit. LEAVENWORTH County couldn't possibly make Enough income from this Enterprise to MAKE! up the dangers and havor this would cause. Thank you for your consideration, Tenneth R. Jinley

KENNETH R. Timberg - Patricia on Linkery Patricia M. Timberg - Patricia on Linkery

From:

Tinberg Farms LLC <tinbergfarmsllc@hotmail.com>

Sent:

Sunday, June 09, 2019 9:00 PM

To:

Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; Smith, Doug; Stieben, Mike; PZ; Loughry,

Mark; Kaaz, Vicky; Schimke, Chad; Loughry, Mark

Subject:

Special Use Permit - Kaw Valley Company - Lenape Quarry

Attachments:

AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

To Planning & Zoning Board Members and Commissioners,

My name is Mark Tinberg. I reside at 16904 Kreider Road, Bonner Springs, KS. I've been a lifelong resident of Sherman Township in southern Leavenworth County.

My parents reside at 16104 Golden Road, which is on the north side of Golden along the proposed Kaw Valley Company truck route. They have lived at this location for 62 years. In those 62 years, they have witnessed many accidents including fatalities on the narrow, winding, deep ditches and steep road banks with NO shoulders all the way to K32 highway. Golden Road and 158th street were not designed nor is the structure built to handle the load and frequency that would be imposed on it. The bridges that are now in place are rated at 15 tons or less. These trucks will be weighing 40 tons plus. Are you planning to stick the tax payer with the burden to upgrade the roads and bridges so that big business can profit at our expense? At 158th & K32, there are frequent accidents which have included fatalities. This intersection has limited sight both east and west bounds making it a dangerous intersection for passenger vehicles, let alone adding the extra traffic of heavy loaded sand trucks.

I've driven heavy trucks for 40 + years including an 18 wheeler which I transport grain with to Kansas City. There is absolutely no way to turn North on 166th from Lenape Road or East on Golden Road from 166th without swinging wide into the oncoming lane in order to keep the trailer wheels on the road.

I have been a farmer my whole adult life, farming the ground on three sides of this proposed pit. My parents, my wife and I own the ground on the west side, we lease the ground on the east side. In the 42 years that I've been farming full time, I have lost lease on a total of 625 acres due to sand pit mining, industry and housing development. This is an epidemic and going to become a real problem for our country and the world. Farmers feed the whole world and without the land it can't be done. See attached document for more information. I farmed beside a sand pit for several years and have seen the operation first hand. It totally destroys the land and its gone forever. No matter how hard they try to control the dust it will blow. OSHA has acknowledged how hazardous silica dust is for humans. This is concern for the residents that live close to the project. We will have to endure breathing silica dust for the next 20+ years. See attached document.

There is no rural water system near this proposed pit. The homeowners are on private wells and are concerned about the water quality. Kaw Valley will be dredging into our water table and giving contaminates direct access.

I've read your mission statement. If you approve this permit, you will be going against your very mission. This project is not only going to affect the people around it but everyone along the route.

Before you vote on this, I'm asking you to personally view this site, drive the route (in a big truck if possible) and go look at some of the sand pits in the area. It's only fair to ask this of you since you are representing the people of this county. This project will impact us the rest of our lives. Take a minute and put yourselves in our shoes, would you want this in your front yard?

Thank you for your time.

Mark Tinberg

Sent from Mail for Windows 10

From: Tracy Tinberg <tracytinberg@hotmail.com>

Sent: Sunday, June 09, 2019 7:44 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; PZ; Loughry, Mark; Smith, Doug; Stieben,

Mike; Kaaz, Vicky; Schimke, Chad; Loughry, Mark; culbertson@leavenworthcounty.org

Subject: FW: Special Use Permit (DEV-19-008) - Kaw Valley Company

Attachments: silicia dust 1.pdf; AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

Dear Planning and Zone Board Members and Commissioners,

As you are fully aware, the SE Leavenworth community is concerned about having a sand quarry operation in this part of Leavenworth County.

My husband and I farm for a living. We farm on three sides of this proposed project, two of which we own and we lease the third property. Yes, this ground does have pockets of sand which is desirable by many companies. However, my question to you is at what cost do you allow greed to take away the much required and need commodity of FOOD....NO FARMLANDS = NO FOOD. Below are a few quotes from American Farmland Trusts report Farms Under Threat, The State of America's Farmland, dated May 9, 2018. Reports & Articles are attached for you reading pleasure.

- "America today is losing agricultural land at an alarming rate 175 acres every hour, 1.5 million acres every year." See attached links for reports and articles.
- "In the next 15 years, 1/3 of America's farmland and ranchland will likely change hands, as current landowners age and sell. Land is most at risk of being converted to a non-agricultural use when it is sold."
- "We need farmland to grow our food and the demand for food will only grow. Experts predict that we will need to increase food production by 60% by the 2050".
- "The future demands that we do all we can to 1. Protect farmland, 2. Promote sound farming practices, and 3. Keep farmers on the land."

Leavenworth County has highly fertile river bottom and creek bottom land. Leavenworth County is known as an agricultural county and should be extremely proud of that fact. In the Planning & Zonings own mission statement states ".....exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare. Our first and foremost desire is to work with our citizens in a way that meets their aims, goals, and ambitions. Through your elected officials, you shape the regulatory environment and our land use patterns and habits. The function of Planning and Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision of Regulations and the policies set forth in the Comprehensive Plan." From what I can determine, the sand quarry is not a fit for SE Leavenworth County.

As for the safety concerns, these chip and seal county roads have no shoulders, deep ditches, and are at most 2-3" thick. These "designated" truck routes will crumble rapidly with the constant abuse of up to 200 loaded trucks per day weighing 80,000 lbs, plus the returning empty trucks. Sure the county will get an annual road impact fee and a few bridges fixed finally but that's what our tax dollars are supposed to be doing but the county can't even maintain the roads with daily passenger vehicles, buses and the occasional wayward truck. Who's going to do the maintenance?

Speaking of maintenance, according to the DOT during the past 24 months Kaw Valley Companies has 31 violations, which 29 is truck maintenance violations which includes no or defective parking brake system, brake connections with leaks or constrictions, inadequate brakes for safe stopping, brakes out of adjustment, steering system components, inoperative turn signal, universal joint loose/broken or missing component. Do you really want this company driving on the same road as our precious cargo, our families and friends?

Additionally, what about the hazards of silicia dust? OSHA has a full report on the health hazards. Also attached for your evening reading.

As for jobs, what are these supposed jobs going to be? The proposal states there will only be 5 employees at the Lenape quarry site. Kaw Valley also states that the trucks will begin and end each day at the Edwardsville location. According to DOT records, they currently list 25 trucks for their entire construction operation, which is not small. If they do hire a few additional drivers, there is no guarantee that they will be Leavenworth county residents. Since, the commodity is being transferred to Wyandotte county is Leavenworth County going to receive any sales tax dollars?

Allowing this project to move forward will not only ruin the land forever. The county and residents will not truly benefit long term for generations to come. Sure the county will receive some money for road impact but that's about it. What do the resident's in the SE part of the county receive......we get the added traffic hazards, health hazards, noise and potential water contamination since many along the bluff are on private wells. Oh, lets not forget that the landowner (which lives in Minnesota) will receive a lake at the expense of the other residents. This greedy project is not a fit for SE Leavenworth county.

According to the press release for The Comprehensive Plan, its goal and I quote "is to ensure Leavenworth County can continue to grow in a sustainable way that both fulfills the needs of it residents and preserve s the integrity of its rural areas. The county hopes the plan will address issues that have emerged concerning infrastructure, land use and urban growth with the increasing development along highway corridors.

Again, how does this sand quarry truly fit with the comprehensive plan? It doesn't!

Respectfully, Tracy Tinberg 16904 Kreider Road Bonner Springs, KS 66012

Sent from Mail for Windows 10

From:

Thomas Schram <thomasschram28@gmail.com>

Sent:

Wednesday, June 12, 2019 11:23 AM

To:

PΖ

Subject:

Sand pit

Dear members of lv planning and zoning, as so very many of us affected by this decision are also suffering serious damage from the tornado I would plead wit you to reschedule the meeting to a week or two farther and give us a chance to recover, many affected can't even live in their homes currently.

Thank you

Thomas Schram

From:

Steven henness <hennesss@yahoo.com>

Sent:

Wednesday, June 12, 2019 8:17 AM

To:

PΖ

Subject:

Delay of Hearing for the Proposed Sand Quarry

I support the request for delay of the hearing for the proposed sand quarry near the Burning Tree Golf Club at 166th St and the Kansas River.

Thanks, Steve

Steven Henness 20108 Golden Rd. Linwood, KS 66052

From:

southcounty < southcounty@aol.com>

Sent:

Monday, June 10, 2019 7:13 PM

To:

Joseph, Jeff

Cc: Subject: Voth, Krystal Request to delay sandpit hearing

To: jjoseph@leavenworthcounty.org

Subject: Request to delay sandpit hearing

Please forward this email to the Planning Commissioners.

As you know, our part of the Leavenworth county-Bonner Springs and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Most of us had direct damage done to our property due to wind, water and debris. Besides protecting life and searching for and helping victims, our community members had to quickly act to stop further damage to their homes, and remove trees and debris just to move safely around homes and garages. Finding help and clearing was even more difficult if disabled.

Electricity and cell coverage was out and lasted for days for many of us.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives--farming, going to work and school and taking care of our families.

It will take many months to get back to normal around here.

We have not had the time to do the research and give proper thought to the proposed Sand Pit proposal.

I am asking that the hearing on the Kaw Valley Sandpit originally scheduled for June 12th be delayed.

Thank you, Joanne Erickson Bonner Springs Kansas 66012 913 220 8565

From: Joseph, Jeff

Sent:Monday, June 10, 2019 7:42 AMTo:Voth, Krystal; Sloop, StephanieSubject:FW: Kaw Valley Lenape Sand Quarry

From: Maureen Ross [mailto:mamaross7@gmail.com]

Sent: Friday, June 07, 2019 11:38 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Kaw Valley Lenape Sand Quarry

Mr. Joseph,

We understand by sending you this email you will forward it to the Planning Commissioners, thank you for this.

We first ask that you consider postponing the voting of the Kaw Valley Lenape Sand Quarry from June 12th to a later date. The devastation that this area received on May 28th form the EF4 tornado has left us with little time to think of anything else. We are cleaning up our homes, helping each other and trying to put our lives back together. In all of this mess we still have jobs, families to raise, obligations. We need more time.

We are land owners within a mile of the projected quarry site. We have many concerns we would like to share. We are unable to attend the June 12th meeting but would like for our points to be heard and considered.

We purchased our 35 acres, 33 years ago knowing that growth and change would eventually come to this area. We both grew up in the DeSoto, KS area. This however, is not the kind of change we feel will promote positive growth in Southern LV County.

We have raised 4 children who attended Linwood Elementary, BLMS and BLHS. Our district and community are a wonderful, quiet area to raise a family. Bringing a business with this magnitude, volume of heavy truck traffic, noise and destroying the farmland and leaving it unsightly will not benefit our community. Our roads were not built wide enough to handle daily travel of heavy trucks in mass quantity. We have no shoulders, our bridges will not withstand the weight and I will add the RR crossing is terrible now, it will be torn up within months with that kind of stress. The number of residential driveways on these county roads should be taken into consideration.

County Rd 1 has many curves and blind hills. Adding heavy trucks running loaded or empty to a major bus route is an accident waiting to happen. These trucks do not have the ability to stop quickly. All of the county roads that could be possibly used are residential, heavily traveled by families, young drivers and school buses. Not to mention farm equipment and bicyclist.

The intersection of CO RD 1 and 32 is very dangerous, it also has a blind hill. It is sad to say but we hold our breath each school year hoping no one is killed heading to Basehor. Adding 200 trucks traveling one way daily at this intersection will be a nightmare.

Has anyone spoken to Sherman Township Fire and Rescue on their concerns of the impact this will have on our community?

We drove by the Kaw Valley Sand Plant in Edwardsville today. We understand the operation in our area will be completely different but the trucks traveling the roads will be the same. This plant has the ease of 435 hwy being only a few miles away.

Holiday Sand on 7 hwy bothers on one. The trucks are able to jump on 7 and not be on residential roads. The proposed location has neither of these convenient options. All we have are county roads with multiple driveways and residential traffic.

You know as well as we do, just because a company gives their drivers the designated route to use from point A to point B, that if a driver or 200 drivers find a better route, less hilly, less curvy they will use it, like 170th street.

When Kaw Valley is finished with this piece of property in 40 years, what will be left? Will they fill the 40' hole with construction material? Or will it be left a huge hole to fill with rain water, be a mosquito pit and stink? Will they continue to move on west down Golden Rd and tear up more land? Once this Iron Horse is approved it will be unstoppable.

We understand some folks think this a great economy booster. HOW? Will it bring 50-100 jobs to our area? We think not. Kaw Valley will use their own Wyandotte CO employees. This is not an employment opportunity. Will it have sales for the public to increase LV CO income/taxes? NO....the public will not be using this. So, why have it??

We ask you to please consider the lives, homes, community that you will be drastically damaging and changing by allowing a company of this destruction to move in to our backyards. We are not against change, it is inevitable, but this is not the kind of change that will make Southern LV County thrive. It will have the opposite effect. Our home values will go down, safety on our roads will be jeopardized. Who wants to drive by this daily to travel to their new homes? No one!!

There are so many reasons against this and NONE for it.

Please put yourselves in the shoes of those that live here, you have the power to stop this. We genuinely ask you to ask yourselves these few questions:

Would you want this across the street from your home?
Would you want it within a few miles of your home?
Would you want to be able to hear it, see the lights, have the dust?
Would you want your children/ grandchildren riding on buses with this kind of heavy traffic?
Would you want to travel by a sand plant on your daily commute?

If you answered NO to as least one of these questions please put a stop to this.

None of us bought our land, purchased/built our homes, gave our lives and dreams with a sand plant down the road. Don't bring it to us!! You are changing OUR lives!!

Our farming community is a wonderful place that LV CO can be proud of. Many Johnson County residents find our area appealing. They look to purchase homes here and raise their families. We were one of them 33 years ago.

Why would you even consider a change such as this???

Please put a STOP to this disaster!!!!

Thank you for your time.

Sincerely, Matt and Maureen Ross 12927 170th Street Linwood, KS 66052 816-835-1296 June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lenape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, asphalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

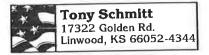
Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

anthy M. Schnitt 816-807-2076 Stadey A. Schnitt 913-954-7586

We want answers please,

Anthony W. Schmitt\Stacey A. Schmitt



Commissioner Vicky Kaaz

I'm writing about the Lenade Sand Quarry Special Use Permit. The roads in this area have signs stating "COMMERCIAL VEHICLES EXCLUDED Res No 2009-50". This is your regulation and I hope you stand firm on your original resolution about these roads. I realize the suggested route is Golden Road to K32 but truck drivers will take the easiest and cheapest way possible to get to their destination. I have a picture from 6-3-2019 I took in front of my driveway on Loring Rd. The "COMMERCIAL VEHICLES EXCLUDED" signs are on both ends of this/my road but they don't care and obviously do the easiest route. These huge trucks are on our roads ALL DAY LONG! Furthermore, there are 3 school districts with school buses full of children that would be impacted on these roads that have no shoulders. The magnitude of this project would create tremendous safety hazards. Our chip and seal roads can NOT support this much commercial traffic. The sand trucks are estimated at 25+ tons and our bridges are only rated at 15 tons. How can they hold up to that much commercial use?

Please, Please do the right thing and listen to your citizens and vote NO on the Lenape Sand Quarry Special Use Permit.

Please and Thank you,

Scott and Andrea Summer 15251 Loring Rd. Bonner Springs, KS. 66012

From:

Sloop, Stephanie

Sent:

Wednesday, June 12, 2019 3:42 PM

To:

Voth, Krystal

Subject:

Sand Plant Voicemail

Ms. Beau Ryva,

Left a voicemail expressing that she wanted all of the Commissioners to know that she is very against the Sand Plant coming in and she feels like there is misinformation on facebook about the use. She had several concerns Kaw Valley and the impact. She would like to put her vote in as no.

Stephanie Sloop

Public Relations and Planning Coordinator Planning and Zoning Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth. KS 66048 (913) 684-0465 ph

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:37 PM

To:

Voth, Krystal

Subject:

Sand Plant

I received a call from Mr. Terry Sipp who stated he would like the meeting for the Sand Plant to be postponed due to the natural disaster.

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:38 PM

To:

Voth, Krystal

Subject:

Sand Plant

Mr. Jeff Hayes in the County stated he would also like the meeting for the Sand Plant to be postponed due to the tornado down in the Linwood area.

Thank you,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 8:58 AM

To:

Voth, Krystal

Subject:

Kaw Valley Sand Plant

Krystal,

I just received a call from Ms. Tammy Hane stating she would like to have the meeting postponed for the sand plant in southeast Leavenworth County due to the fact that so many down in that area have been impacted by the tornado.

I told her I would email and let you know.

Thanks,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

Dear Commissioner:

I am writing this letter because of our concerns on the proposed Special Use Permit for the Lenape Sand Quarry on the Leavenworth County site near DeSoto. There are many concerns as well as a threat to the way of life in this area. This community has grown as residence are trying to escape the busyness and traffic of the city.

The biggest affect for us personally is the route of the large trucks to and from the sand plant. We understand that County Road No. 2 (158th St.) is being considered as a route to and from the sand pit. This would entail 240-360 truck passes per day, weighing between 25-30 tons during the 12-hour day the plant would be in operation. 158th is a road with lack of site, due to hills and curves; and no shoulder on either side. Truck prohibited signs and speed limits are not enforced on 158th St., South of K32.

Who does this effect daily besides the taxpayers?

The children getting on and off of school buses & the drivers- prior to additional proposed trucks being added to the traffic, the buses already are stopping in the middle of the two lane road in order to protect children from people going around the bus and to ensure oncoming cars are aware they should be stopping, in particular due to the curves and blind hills

Delivery drivers — Postal workers, UPS, Amazon, Sanitary workers just to name the few I have seen in the last week. Since there are no shoulders for these workers to pull onto, they are parked on the road in order to fulfill their responsibilities.

Residence picking up their mail and caring for their road frontage. We have had people hit just in the last year simply trying to get their mail. I can't tell you how scary it is trying to care for your road frontage on a blind hill with a ditch along side of the road, with cars, much less large trucks flying by you, not even sure if they see you. If we do not care for our road frontage, we have limited visual to see traffic when departing from our driveway.

Other drivers on the road – as we followed a large truck through the hills and curves of 158th St last weekend, I can show the video of the truck constantly bumping and going over the yellow line as these roads were not made for large trucks, much less trying to pass each other and other traffic.

Traffic flow to K-10 through Desoto and to K32- This volume of truck traffic on 166th crossing into Desoto to access Johnson County will cause great delays with the current volume of traffic I see both in the mornings and evenings.

Our country roads were not built for high volume traffic and large trucks. The <u>roads will be</u> <u>laced with potholes and deterioration with large trucks frequently traveling</u> this county-maintained road. The <u>snow and ice on these roads are a safety challenge</u>, even after roads are treated, due to the layout of the roads with no shoulder. Our vehicles slide around and postal trucks actually get stuck trying to deliver mail on the edge of the roadway with accumulation.

Adding volume and large trucks to the intersection of 158th and K-32 would add to the number of wrecks occurring at this intersection with a <u>blind hill and only a stop sign for each North and South bound traffic.</u>

The sign on 158th states prohibited truck ordinance on the stretch of 158th to the route of the proposed sand plant from K32. Adding large truck volume will bring new safety concerns and will make a significate negative impact to the way of life created in this community as new homes and communities are constantly being added.

We respectfully request that you consider the safety of your constituents and deny this permit for the benefit of your tax paying residence.

Sincerely,

Jennifer & David Janes

13804 158th St.

Bonner Springs, KS 66012

913-441-2899

Planning commissions recommend denial of sand permit

January 30, 2013

Both the Eudora and Lawrence-Douglas County planning commissions voted Wednesday to recommend denial of a permit application for Penny's Aggregate to develop a large sand pit mine along the Kansas River.

It will now be up to the Douglas County Commission to make a final decision in a vote tentatively scheduled for Feb. 27.

The Eudora planning group voted 4-0 to deny the permit. The vote on the Lawrence-Douglas County panel was 4-3 for desnial

That represented a reversal for the Lawrence-Douglas County group, which voted narrowly in October to recommended approval of the permit, subject to several conditions. But it was a consistent vote for the Eudora planning group, which has been solidly opposed to the proposal all along.

Appends several concerns were raised during the lengthy public hearing, Eudora Planning Commissioner Johnny Stewart summed up the one issue that seemed most important in swaying votes; the choice between developing and marketing the country's natural resources, or protecting its most valuable farm land.

"it seems to be a competition between resources, whether it's land or sand," Stewart said.

Both of those goals are listed as priorities in the county's long range comprehensive plan, known as Vision 2020.

The proposal called for developing a sand pit on 434 acres near the Kansas River, north of Eudora. It was a rare instance when the application had to go before both planning commissions because the site is in an unincorporated portion of Douglas County, but within the three-mile extratemitorial jurisdiction of Eudora's zoning authority.

Penny's sells the sand for use in concrete mixes and other construction material.

"The big thing for me is the destruction of class 1 and class 2 scils," Lawrence-Douglas County commissioner Clay Britton. said. "It's a decision about which resource we want to have available for use."

The proposal has been before the county commission once but had to be sent back to the planning commission because of a technical error in the public notification process. Property owners on the north side the river in Leavenworth County were not notified of the earlier public hearings, even though they live within the 1,000-yard radius where notification is required.

Several Leavenworth County residents came to Wednesday's hearing to express objections to the noise that would be created. They asked for additional conditions to be attached limiting the level of noise and the hours of operation for the pit

Others who testified, including the city of Eudora, raised concerns about the impact the pit mine would have on the stability of the river bank and the potential for groundwater contamination in the event of another major flood on the river.

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

May 12, 2019

Leavenworth County Planning Commission 300 Walnut Street Leavenworth, KS 66048

Re: Case No. DEV-19-008 (Kaw Valley Sand Plant)

Request for full evaluation of threats to endangered and threatened wildlife species by the U.S. Fish and Wildlife Service and the State of Kansas prior to granting a special use permit.

Request to the Planning Commission

I am requesting an immediate delay in the evaluation of the special use permit to Kaw Valley Companies for the tract of land located in the southwest quarter of Section 22, due to the possible violation of the U.S. Endangered Species Act, the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Lacey Act and other local, Kansas and federal protection laws or ordinances.

There is enough evidence compiled to presume probable cause that the proposed sand mining operation would be in violation of the Bald and Golden Eagle Protection Act, and possibly other federal and state laws.

Background

A preliminary review of the wildlife and bird population, and an inquiry into research done by Kansas State University of the proposed site for the Kaw Valley Sand Plant and the surrounding area have revealed several possible violations of Bird and Animal protection laws that are meant to preserve the habitat and nesting areas of endangered, threatened or vulnerable species.

Bald and Golden Eagles

Bald and Golden Eagles have been documented as nesting in the area surrounding the proposed Kaw Plant. One was sited June 10 during a visit to the Burning Tree Golf Course (see Figure 1). Many nests and juvenile and adult eagles have been observed and photographed over the years in trees in the vicinity.

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Figure 1 Photo by Jo-Ann Moore, 06/10/2019, Burning Golf Course

- a. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) specifically prohibits the "possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). "Take" includes pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb (16 U.S.C. 668c; 50 CFR 22.3)"
- b. "Disturb" means anything that causes a "decrease in productivity or nest abandonment". https://www.fws.gov/midwest/eagle/protect/laws.html
- c. Per the U.S. Fish and Wildlife Service (fws.gov), Bald Eagles degree of sensitivity to human activity varies by phase of their lives and by individual. However Eagles can be negatively impacted by visibility of the human activity, its duration and noise level and extent of the area affected by the activity. The negative impacts are numerous; some examples include nest abandonment, abandonment of territory, leaving young or eggs for longer than usual resulting in increased vulnerability to predators and the elements, nestlings may leave the nest prematurely, and fledglings may leave the nest prematurely and die.
 - (https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)
- d. Threats by Kaw Valley Sand Mining Operation to Bald Eagles according to NWS guidance would include but not be limited to:
 - (https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)
 - i. sudden noises (such as the startup of the facility, backup alarms on vehicles, and any truck or equipment loud or sudden noise)
 - ii. disturbance of the foraging and feeding area (the currently planted or fallow agricultural fields are feeding and foraging areas for eagles)
 - iii. disturbances and human activity that is in full view. Visibility is a factor because eagles are more prone to disturbance when an activity occurs within their sight.
- e. Per the U.S. Fish and Wildlife Service, the specific disturbances listed in part 1.d. "could be, considered disturbance under the Eagle Act and thus a violation of the

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

Act."

(https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)

f. Current agricultural planting and harvesting would not be of concern to the eagles due to the time period of the activities (not during nesting and raising of the young), and due to the temporary and relatively short duration of the noise and the visual activity. The sandpit however, would operate throughout the year including during the most vulnerable time for nesting and raising young.

Other Protected, Threatened or Vulnerable Wildlife

- 1. Hognose Snake: (See Figure 2)
 - Both the Western and Eastern Hognose snakes are considered threatened in Kansas. https://ksoutdoors.com/Services/Threatened-and-Endangered-Buildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - b. Habitat protection is paramount per the KS Dept. of Wildlife, Parks and Tourism https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - c. Snakes located on a property adjacent to the Kaw Valley proposed project have been the subject of documented research by the Kansas Dept. of Wildlife, funded by a grant from Kansas State University due to the species' threatened status and relative rarity in Eastern KS.
 - d. The snakes have been spotted recently and repeatedly at Burning Tree Golf Course, and their feeding and nesting grounds include the surrounding areas including the agricultural fields that Kaw Valley proposes to convert into a sand pit.
 - e. This snake needs grasslands and sand to survive, and is very sensitive to vibration. The destruction of adjacent grasslands/feeding grounds and the impact of dredging and blasting, truck and machinery operations will destroy the habitat of the existing Hognose snakes.



Figure 2 Western Hognose Snake, KS Dept. of Wildlife

2. Yellow Billed Cuckoo (see Figure 3)

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

- a. The Yellow Billed Cuckoo has been listed as "threatened" by the U.S. Fish and Wildlife Service for certain regions of the country, and has been petitioned for classification as "endangered" throughout the United States.
 https://www.biologicaldiversity.org/species/birds/yellow-billed_cuckoo/index.html
- b. A Yellow Billed Cuckoo was identified from Lenape Road in the area of the proposed sand quarry in a bird survey conducted June 10, 2019.
- c. The impact on the Yellow Billed Cuckoo of conversion of the land adjacent to Lanape Road to Sand Quarry operations needs to be further investigated to determine the legality of proposed opertions.



Figure 3 Yellow Billed Cuckoo, courtesy of Jo-Ann Moore

Concerns for Other Local Wildlife

Many members of the community have expressed concerns about the lack of fencing of the sand pit operations due to the presence of deep water with a sharp drop off. The area is home to deer, coyotes, rabbits, squirrels, foxes, raccoons, opossums, skunks, and hundreds of other animal species, both wild and domestic. Even mountain lions have been sighted crossing Golden Road at the location of the proposed Sand Pit.

Chain link fencing surrounding the entire mining site is the only appropriate and humane solution to prevent unintentional harm to local wildlife, domestic animals and of course, humans.

Sincerely

Barb Paulus Sherman Township, Leavenworth County

Cc: Chris Barrows, KS Dept. of Wildlife, Pratt, KS Sierra Club, Topeka, KS

Dear Planning and Zone Board Members and Commissioners,

We would like to advise, this has not been very easy to absorb the shock of this issue. We are not sure how the businesses and residents of our lifelong county are to be informed of this kind of issue, however finding out the news about a sand plant on Facebook, by a member of our business, was quite alarming on April 25, 2019.

There are many concerns we have for this sand plant project:

Natural Wildlife

- We have contacted Kansas State University and the Kansas Department of Wildlife to
 assist us with a hognose snake which was researched on the grounds of Burning Tree.
 This research was funded from a grant given from Kansas State University, for this snake
 that is threatened and endangered species, to our grounds in the state of Kansas.
- Kansas State Wildlife extension office of Johnson County and the Kansas Wildlife headquarters in Pratt, Kansas, and the Secretary of State, are trying to locate the research. They advised me on Tuesday, June 11, 2019, that they need time to find the records and research. The head of Ecological Services, Chris Barrows in Pratt, is working on this, but director of Kansas State University extension office in Olathe has advised, we should ask for an extension for this hearing. Neither entity will be able to have the research available to meet this deadline.
- This snake has been identified and seen on the grounds in the last year, by a golfer who
 was quite concerned, when their ball landed in the sand, where this snake was sunning.
- O Bald eagles fly daily, over the Burning Tree Golf Course, and fishing the river for food. These eagles have nested on the grounds of Burning Tree and along the river to the east and west of our property lines. They are very territorial and chase other large birds from the property. Many people come to patronize our course to enjoy the in-flight eagles above our leased property. Many pictures have been taken frequently, with the last known occurrence was cited by a golf course visitor and myself, on Monday, June 10, 2019. He was an adult bald eagle flying over our green. Pictures do tell the story and date/time of this occurrence.
- Additional bird wildlife, which was identified and pictures taken was totaled at 33+ different species. These sightings of bird occurrences took place on Monday, June 10, 2019.
- We have contacted the Kansas Wildlife, to advise of our concerns. The National Bald Eagle Act has been attached.
- White Tailed Squirrels are quite common on the golf course. The Kansas Wildlife was not aware of these squirrels on our property. However, this squirrel is here year after year and not been seen anywhere else in Kansas. This squirrel has been named Bernie, by a young golfer, as our mascot.
- Please provide an extension, so that Kansas State and our Kansas Wildlife can complete their research on the hognose snake in which is a threatened and endangered species, on our grounds.
- Various other wildlife, including large Black Snakes that protect our course from venomous snakes as well as small rodents. Our 7 foot black snake's name is Charlie and no golfer disturbs his presence and he likes watching the game while sunning.

Golf Course Members and Patrons of Burning Tree

 Please consider the elements of a tranquil and serene wildlife environment for the pleasures of thousands of golfers a year. Our rounds of golf equals over 15,000 for last year's attendance. Yes, that is why many golfers visited Burning Tree. People from all

- over the Kansas City area visit this golf course frequently, for the pleasures of the quiet, tranquil, and non-stressful elements we have to offer. Burning Tree provides the opportunity to help people with their physical and mental state of minds by releasing the stress, with the game of golf on a very peaceful environment.
- o Burning Tree is the home course for many of our area high schools golf teams. These schools are given FREE golf practice throughout the high school golf season. The area schools, which participate have been, Bonner Springs HS, De Soto HS, Tonganoxie HS, and Mill Valley HS. They also have been given the opportunity to play their tournaments here, for FREE of charge as well. Burning Tree is the only golf course that provides FREE play to area schools.
- o Burning Tree also provides a non for profit organization to house a golf academy on our grounds, for FREE of charge, for the organization.
- Optimist International formed a one focus club with the agreement of the owners of Burning Tree, to teach the game of golf to young children. This Optimist Club was chartered in 2015 and named the Burning Tree Optimist Academy. Children from ages 6-14 receive golf instruction from local pros and high school golf coaches. These program run during the summer. These children are allowed to return and practice with their families, for FREE of charge. This organization has received national recognition and is the only golf academy of its kind in the United States. Burning Tree Optimist Academy has taught over 250 children in the past 4 years.
- High School golfers from area schools have the opportunity to volunteer in the Optimist Golf Academy and give them hours of community service to qualify for scholarships in college. Many of our high school golfers follow golf scholarships that are received, due to their participation in community service. Two of our high school students from De Soto HS, received the governor's award in the state of Kansas. This award has been given to these two young men, for their hours of community service at the Burning Tree Optimist Golf Academy. These have been two great opportunities for our young golfers to qualify for college scholarships.

Noise

- O Constant noise or loud noise or ANY noise with any decibel level is not favorable at any golf course and Burning Tree is no different. Burning Tree is just unique due to the tranquil and quiet atmosphere. Golfers cannot concentrate, if there is noise present. Golf etiquette is a rule of NO talking or noise made while a golfer is hitting the ball. This is written in the PGA rules and guidelines for every golf course in the US and in the world. Does that mean Burning Tree is not able to follow the guidelines that are set, in which our business has to follow every day, when we are open for business? Burning Tree is open for play above 40 degrees.
- Traffic has been a negative factor for the players, however, the traffic that travels 166th
 Street is sparse enough, that golfers usually wait until a loud vehicle or motorcycle passes. Consistent truck and vehicle traffic will have a negative impact on the game for our members and patrons who visit our course.
- Golfers will not be able to wait or eliminate the negative impact of Noise that bears to factor on their game or their physical or mental stress. Any Noise will not work for golfers and their rounds of golf at Burning Tree.

Blowing Sand and Air Quality

 Blowing sand across the golf course is another negative factor, when golfers are playing their round. This sand will interfere with the golfers' vision. As well as our equipment, golf carts, and vehicles that are on our premise. Many golfers will not be able to endure

- the blowing sand in their face, hair, clothes, golf bags and clubs, and their personal vehicles.
- Sand will become airborne, throughout the area. Making breathing difficult for many people and wildlife. We have not been given details about this, however, most sand plants do require employees to follow safety issues required by law.

• Traffic Concerns

- A traffic study was completed and it is extremely concerning. These trucks must be allowed to use our rural roads of Leavenworth County, finding the closest route to a Kansas funded hi-way. Our two Kansas hi-ways are K-10 in De Soto at Kill Creek and Lexington Ave in De Soto and K-32 to the north of Burning Tree, which runs from Linwood, through Bonner Springs, and Edwardsville. City of De Soto has requested for the trucks to not cross the bridge. These routes will endure in a 12 hour day, around 400 sand filled trucks, and return to the site, for additional trips. These plants, sometimes run, 24 hours a day, creating twice the truck traffic 3) sand trucks causing backups at the railroad crossing; for any and all persons.
- Truck traffic will make all forms of travel, dangerous, (cars, bicycles, motorcycles, busses); safety for our children of our community who ride school busses, to and from school and who wait at the road for pickup; safety for people traveling, to and from work, using the KS river bridge to cross from Leavenworth Co. to Johnson Co, or visa versa
- Our taxpayers will endure repairing/replacing the roads and bridges; All routes to/from this location cannot handle the turning of semi's and the weight of these trucks at 80,000 lbs.
- Vehicle safety for the golfers who use 166th to access and exit Burning Tree for play.
 Also for the children who are enrolled in the Optimist Academy
- Also for our young high school golfers and school coaches and families, who use our facility with school participation of golf.

Lastly, my family has been living in Leavenworth County for over 75 years and my entire immediate family have always supported the community, local businesses, schools, and our local government. This topic has been extremely difficult for our family, due to our commitments all inside Leavenworth County jurisdiction. Always, living in Fairmount Township and working in Leavenworth till retirement and now our business in Sherman Township, of Leavenworth County. We are extremely committed to the county with all of which we spent inside the borders of this county, while we participated lifetime schools for generations, University of Saint Mary's, employment between both spouses, present planning and zoning commissioner, today's president of Basehor Pride, and hundreds of hours of volunteer work, providing opportunities for many others through our work in our communities. Please consider the quality of life of our citizens have enjoyed throughout the years. As recovering from a tragic accident with hours and hours of therapy, at hospitals & rehab office visits, for the past 16 months and released, in April. I'm sorry for this late email, however the time frame of collecting my facts was not adequate.

Sincerely yours,

Stephanie Swenson

General Manager; GreatLife Golf & Fitness at Burning Tree; 11578 166th, Linwood, KS





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Danger in the Air

SEPTEMBER 25, 2014

Health Concerns for Silica in Outdoor Air

OUTDOOR AIR

DANGER IN THE AIR: HEACT BY CONCERNS TO BE STILL

Introduction

Mining, processing and transporting sand generate large quantities of silica dust, which is notorious for the damage it does to the lungs and respiratory system when inhaled. In recent years, the dramatic expansion of hydraulic fracturing and horizontal drilling technology to extract gas and oil, commonly called "fracking," has led to boom in sand mining across the upper Midwest, creating a significant public health threat in the region.

None of the states at the center of this "frac sand" mining boom have adopted air quality standards for silica that are adequate to protect people living or working near the scores of recently opened or proposed mining sites. The growing danger of airborne silica is especially acute for children and other vulnerable populations.

Silica can impede breathing and cause respiratory irritation, cough, airway obstruction and poor lung function (Rego 2008). Chronic or long-term exposure can lead to lung inflammation, bronchitis and emphysema and produce a severy unglisease known as silicosis, poformeof pulmonary fibrosis (Hnizdo 2003).

Silica-related lung disease is incurable and can be fatal killing hundreds of workers in the U.S. each year. The National Institute for Occupational Safety and (100 th) (NIOSH) has estimated that at least 2.2 million workers in the mining and construction industries are exposed to inhalable silica each year. However, the Institute noted, "There are no surveillance data in the US. that permit us to estimate accurately the number of individuals with silicosis. The true extent of the problem is probably greater than indicated by available data" (Weissman and Schulte 2011).

The fracking boom has meant that many more workers are being exposed to silica dust at "frac sand" mines or at drilling sites, where the sand is mixed with water and toxic chemicals before being injected underground to extract gas or oil trapped in deep rock formations. In a 2011-12 study, NIOSH found that exposure to airborne silica exceeded its occupational health criteria at every one of 11 fracking sites it tested, in some cases by a factor of ten or more (Esswein 2013). In response, the Institute and the Occupational Safety and Health Administration (OSHA) issued a Hazard Alert to warn workers of the risk (OSHA 2012).

In 2013 OSHA proposed new rules for occupational exposure to silica dust that it estimates could save 700 lives and prevent 1,600 cases of silicosis a year. The new rules, the first revision in 40 years of the agency's permissible exposure limits for silica, would limit workplace exposure to 50 micrograms per cubic meter of air (µg/m3), averaged over an eight-hour day (OSHA 2014). Last year, U.S. Assistant Labor Secretary David Michaels told an oil and gas industry task force that more than 60 percent of workers at fracking sites are being exposed to amounts of silica above the proposed limits (Grossman 2013). The new rules have not yet been finalized.

How Silica Damages Health

By itself, silica is not toxic. The health risk arises when silica particles are small enough to get into the deepest parts of the lungs, especially the alveoli where inhaled air passes into the bloodstream (US EPA 1996).

In addition to the severe damage silica dust does to the lungs and respiratory system, studies of miners have linked it to diseases such as rheumatoid arthritis, systemic lupus erythematosus, scleroderma and kidney damage (Makol 2011; Parks 1999). Exposure to high levels has also been linked to heart problems, since the heart must work harder when pulmonary tissues are injured. Workers exposed to silica in other industries have a higher risk of lung cancer, which has prompted government and international health agencies to declare silica a known human carcinogen (IARC 2012; NTP 2011; Steenland 2014).

Silica dust is one of the most harmful components of "particulate matter," a mixture of small airborne particles of organic chemicals, metals, minerals and soil (Reff 2009). Smaller particles pose the greatest danger because they can get deeper into the respiratory system. Fine particles smaller than 2.5 micrometers in diameter – less than 1/30th the width of an average human hair – are more harmful than larger particles. (The shorthand designation for particulate matter of a given size is "PM" followed by the diameter, as in PM2.5, PM4, PM10 etc.) Epidemiological studies have shown that breathing air polluted with PM2.5 particles causes heart and lung problems and increases the death rate from heart disease and lung cancer (Lepeule 2012). Particles larger than 2.5 micrometers in diameter do not get as deep into the lungs, but PM10-size pollutants do exacerbate respiratory diseases, particularly asthma, and cause heart failure (Shah 2013; Weinmayr 2010).

The concentration of silica in the air is often estimated based on the percentage of crystalline silica in a given sample of PM10, PM4 or PM2.5 particles (ACC) 2001; Davis 1984; EPA 1996). Depending on the source, the level of silica in inhalable particulates corrected at quarries and sand pits can be as low as 1-2 percent or as high as 95 percent of total particulate matter (Environment Canada 2013).

When tiny silica particles lodge in the alveoli, they cause an ongoing inflammation that damages lung tissue and causes scarring and fibrosis, a precursor of silicosis and lung cancer (IARC 2012). Freshly crushed silica is more damaging to the respiratory system and produces a more severe inflammatory response than "aged" silica particles of the same size (Shoemaker 1995; Vallyathan 1995). Breathing sharp, freshly-cut sand dust, such as silica at sand mining and processing sites, carries a greater risk of pulmonary disease than breathing older, smoother particles weathered by heat, wind, and moisture — such as silica dust blown from cropland.

There is no federal standard for ambient air exposure to silica outside the workplace. Based on occupational data, the EPA came up with a health-protective benchmark for crystalline silica in PM10 particles of 3 micrograms per cubic meter (μ g/m3) (Gift 1997; US EPA 1996). Crucially, however, EPA's benchmark did not consider the risks of exposure to vulnerable populations such as children or people with respiratory disease. The federal air quality standard for long-term exposure to PM2.5 for the general population is 12 μ g/m3 a year, and the 24-hour, or acute, PM10 standard is 150 μ g/m3 (US EPA 2014).

State exposure limits are inadequate to protect children's health

Silica exposure is a well-known danger for workers in mining and construction. With the spread of frac sand mining, however, silica air pollution has also become a danger for residents near sand mining and processing operations. Children, older adults and people with respiratory diseases are especially at risk. In the absence of a national air quality standard for silica outside the workplace, six states have developed their own standards or guidelines.

State	Calif.	Minn.	New Jersey	Texas	Vermont**	New York**
Limit (µg/m3)	3	3	3	2	0.12	0.06
Type of limit	chronic reference exposure level	chronic health- based value	long-term reference concentration	chronic reference value	hazardous ambient air standard (annual)	annual guideline concentration
Measured as	PM4	PM4	PM10	PM4	PM10	PM10

Table 3. State exposure limits for crystalline silica in air*

^{*} Long-term exposure limits for general population based on the risk of silicosis.

^{**} General population exposure limits derived by state agencies from occupational exposure values established by the American Conference

of Governmental Industrial Hygienists (New York State Department of Environmental Conservation 1997; Vermont Department of Environmental Conservation 1998).

EWG's analysis concluded that the silica exposure **GWG** adopted by California, Minnesota, New Jersey and Texas are insufficient to protect children and other vulnerable populations, for several reasons:

These exposure limits are based on epidemiologic studies of adult male miners, a population of typically healthy and robust workers. None of the studies included children or vulnerable populations, although they face unique risks. As the California Office of Environmental Health Hazard Assessment (OEHHA) noted, "exacerbation of asthma, which has a more severe impact on children than on adults, is a known response to some respiratory irritants" (OEHHA 2005). The agency added: "Since children have smaller airways than adults and breathe more air on a body weight basis, penetration and deposition of particles in the airways and alveoli in children is likely greater than that in adults exposed to the same concentration."

In setting their silica exposure values, California and Texas used epidemiological data from miner studies and applied a three-fold adjustment factor as a margin of safety to account for human variability. (Minnesota adopted the California standards.)

EWG strongly disagrees with this approach. A three-fold margin of safety is insufficient to account for the potentially elevated sensitivity to silica among children, the elderly and people with respiratory diseases. The California agency's own guidelines for the Derivation of Non-cancer Reference Exposure Levels, finalized in 2008 – three years after it adopted its silica exposure limit – call for a higher adjustment factor to protect children's health from air pollutants (OEHHA 2008). In fact, in the draft risk assessment for benzene the Office of Environmental Health Hazard Assessment published in January 2014, it called a 10-fold adjustment a "default" factor for air toxics to allow for the differences among infants, children and adults (OEHHA 2014). Similarly, the U.S. EPA also typically uses an additional safety factor of 10 in its risk assessments for certain exposures during vulnerable periods of development. In the case of pesticides, the Food Quality Protection Act of 1996 specifically requires consideration of children's exposure (U.S. EPA 2002a; U.S. EPA 2002b).

Under the California office's current rules for assessing the risks of air pollutants, the three-fold safety factor is first applied where toxicological data is based on studies of adults only, as is the case with silica. If there is reason to suspect additional susceptibility in children to a particular pollutant, such as potential exacerbation of asthma, the rules call for applying an additional factor of 10 (OEHHA 2008). In sum, an overall 30-fold adjustment factor would be appropriate for air pollutants that pose particular risk to children, and in some cases the factor could be even larger (OEHHA 2008).

In its ongoing analysis of chronic exposure to benzene, for example, the California OEHHA started by recommending an adjustment factor of 30 to account for general human variability and children's particularly susceptibility, but it later published an update concluding that an adjustment factor of 60 would be more appropriate (OEHHA 2014). In the risk assessment document for 1,3-butadiene, an industrial chemical used in making synthetic rubber, the agency again applied an overall adjustment factor of 30 (OEHHA 2013). Similarly, in 2012, it adopted a 30-fold safety factor in setting exposure limits for nickel to account for children's sensitivity (OEHHA 2012).

EWG believes that exposure limits for silica also require an additional adjustment factor of 10 to account for the absence of epidemiological studies on children and their greater susceptibility to respiratory

toxicants and to chemicals that affect the immune system. The California, Minnesota and Texas silica exposure levels all disregarded potential vulnerability of children to air pollutants such as silica.

Applying both the three-fold and 10-fold adjustment for silica exposure in outdoor air should be no higher than 0.3 μ g/m3, and it may need to be lower.

To date only Vermont and New York have met this threshold. Both states have, in fact, set even more stringent silica exposure guidelines of $0.12~\mu g/m3$ and $0.06~\mu g/m3$, respectively. In setting those limits for silica in ambient air, New York and Vermont used a different method than California or Texas. Both started from occupational exposure limits and applied an adjustment factor of 100~(10~x~10). This combined factor of 100~takes into account the inherent toxicity of silica and the variable vulnerabilities of the population.

How much silica are communities near frac sand mines breathing?

Data on air pollutants near the Midwest's burgeoning sand mining and processing plants are limited. Detailed air monitoring studies are critically needed to track the levels of airborne silica and other air pollutants near sand mining and processing operations and along the routes driven by trucks transporting the sand. Such studies should measure both airborne silica levels and how far silica and other air sandmining pollutants travel on the wind (WDNR 2012).

One study of a sand and gravel facility in California found that at 750 meters (almost half a mile) downwind, the furthest point monitored, the level of silica in the air was twice as high as at an upwind site (Shiraki 2002). The silica content in particulate matter samples decreased from 33 percent at the plant itself to 10 percent at 750 meters away (Shiraki 2002). EWG recommends that air quality should be monitored at up to 1,500 meters (almost a mile) from sand mining and processing facilities. Monitoring at even greater distances may be necessary if significant quantities of silica are found at 1,500 meters downwind.

EWG's accompanying interactive map of existing or proposed frac sand operations in a region that spans parts of Minnesota, Wisconsin and Iowa identifies zones of concern at distances of 750 meters and 1,500 meters from each site. The potential risk of airborne silica at any given location depends on both the size of the site and the type of activity. A 1,500-acre open-air sand mine would generate more silica dust and disperse it over a wider area than an indoor processing facility or a railway loading station. The mapped zones of concern should be considered only as indicators of potential risk. Further research may indicate that these zones should be larger.

Analyzing estimated silica levels near frac sand sites

In January 2013, a research group from the University of Wisconsin-Eau Claire did a study of PM2.5 particle pollution near sand mining and processing operations. The choice of PM2.5 particle size was based on several factors. First, these smaller particles are more toxic to the respiratory system. Second, PM2.5 particles are encompassed in the California, Minnesota and Texas silica limits based on PM4. In contrast, the larger PM10 size would include many particles that are excluded from the limits set by California, Minnesota and Texas. Finally, there is a federal PM2.5 annual standard for the general population that corresponds to chronic open-air exposure, but there is only a short-term exposure standard for PM10 particles (US EPA 2014).

The Wisconsin researchers collected 16 air samples at the fence line (within 10 to 30 meters) of the EOG Perources Inc. sand mine and processing plant in Tippewa Falls, Wis. They found that the levels of Fivi2.5 ranged from 33 to 57 micrograms per cubic energy (μ g/m3), with an average level of 41 μ g/m3. They further estimated the silica content of the sanfales at 15 percent, yielding an average level of silica of 6 μ g/m3. This is twice California's and Minnesota's PM4 chronic exposure limit for silica and three times the level set by Texas. It is 20 times the long-term exposure level of 0.3 μ g/m3 recommended by EWG to be fully protective of children's health.

The 15 percent average silica content of the samples in the Wisconsin study is largely consistent with several other studies. Sampling of particulate matter collected at sand and gravel operations in California's Central Valley found silica levels of 6-to-26 percent, while sampling from two coastal sand quarries found silica levels of 14-to-17 percent (US EPA 1996). An analysis of inhalable dust samples at sand mining sites in Wisconsin reported silica concentrations in the range of 1-to-40 percent, with an average of 14.5 percent (Pierce 2013). Finally, a recent study of workers at fracking sites in five states found that silica constituted 53 percent of inhalable dust (Esswein 2013).

Conclusion

Silica levels detected near frac sand facilities in Wisconsin and Minnesota are at least 10 times higher than the health-based exposure limit of $0.3~\mu g/m3$ that EWG considers safe for children and other vulnerable populations. This represents a significant health risk for residents living in close proximity to these sand mining and processing facilities. Residents exposed to sand dust spreading along the sand truck driving routes may also be exposed to silica dust in amounts that should cause concern.

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1 *Chronic exposure* is repeated, continuous exposure to a hazardous substance over an extended period, defined by the Environmental Protection Agency as more than 10 percent of a person's lifetime and potentially the entire lifespan.

Long-term exposure is a less formal term that can be used synonymously with chronic but is often used to

all 5 county commissioners and as you.

I have one request before you vote on the sand plant special use permit:

would it be possible for every voting member to travel the proposed truck route and visit the site before you make a vote that is beneficial to the citizens of this county?

If this is not possible before Thursday June 12th would not be in everyone best intrest to postpone the meeting till this has taken place?

Thank You, Anthy Mashell 17322 Golden Road Linwood, Ks. 66052 816-807-2076 Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lenape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, asphalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

We want answers please,

June 6, 2019 Jun 1 2 2019

Dear Mr. Jeff Joseph, Director, LV Co. Planning and Zoning,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

Sincerely

From:

Joseph, Jeff

Sent:

Monday, June 10, 2019 7:42 AM

To:

Voth, Krystal; Sloop, Stephanie

Subject:

FW: Request to delay sandpit hearing

From: Barbara Paulus [mailto:barbpaulus1@gmail.com]

Sent: Friday, June 07, 2019 7:29 PM

To: Joseph, Jeff < ijoseph@leavenworthcounty.org>

Subject: Request to delay sandpit hearing

Mr Joseph:

Please forward this email and the attached photos to the Planning Commissioners.

As I am certain you know, our part of the county-Linwood and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Many of us had direct damage to our property due to wind, water and debris (sharp large pieces of tin fell from the sky). Besides protecting life and searching for and helping victims, our community members had to immediately stop further damage to their homes, relocate families to other housing if necessary, move trees and debris just to get out of their homes and garages. Electricity, gas, cell coverage and landline outages lasted for days for many of us. Food and water was delivered to workers and volunteers.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives-farming, going to work and school, taking care of our families. I have attached photos taken yesterday of my community-9 days after the tornado. You can see that there is tremendous damage, as well as debris and road blockages.

It will take months to get back to normal here.

We understandably have not had the time to do the research and give proper thought to the proposed Sand Pit.

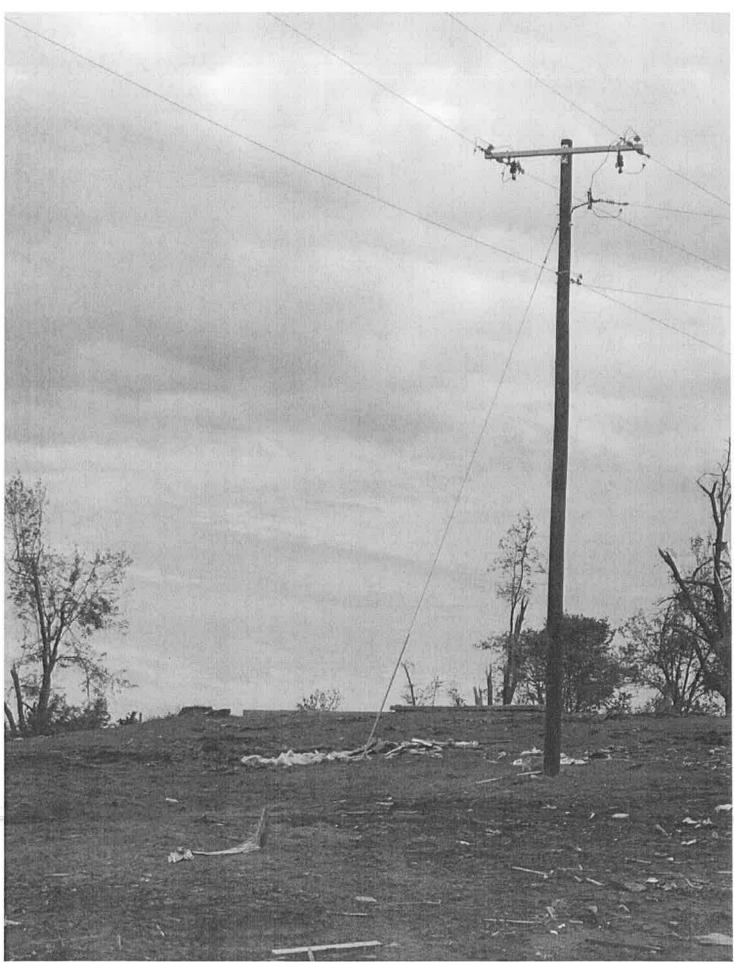
That is why I am asking that the hearing on the Sandpit for Kaw Valley originally scheduled for June 12th be delayed.

Barb Paulus 13921 166th St. Bonner Springs 913-526-0896

Sent from my iPad by Barb Paulus 913-526-0896

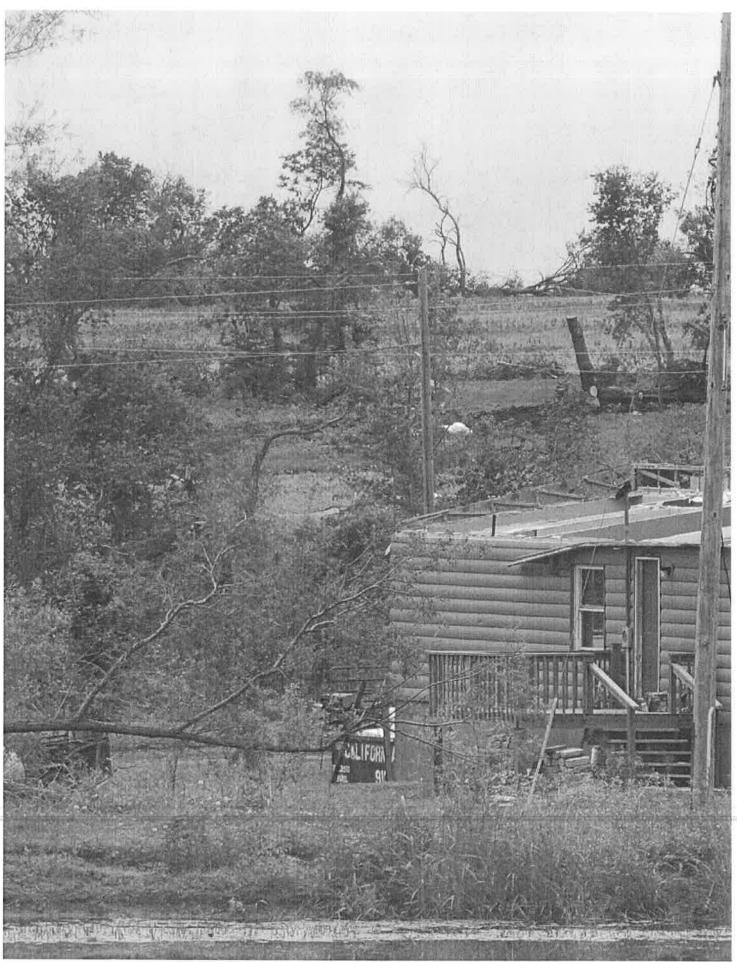


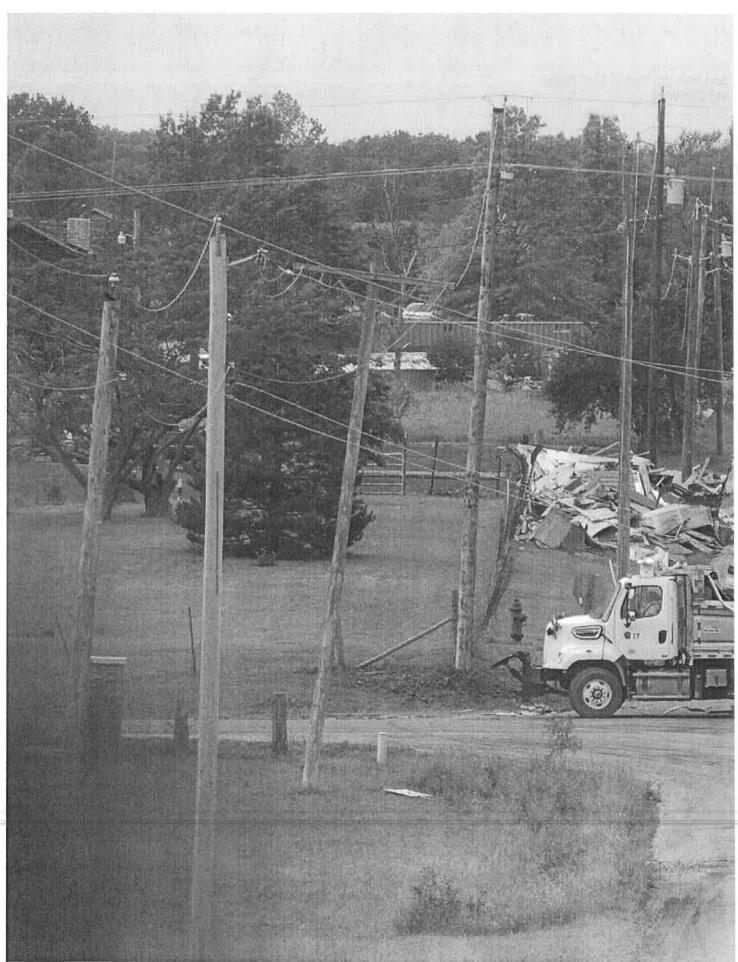












Sent from my iPad by Barb Paulus 913-526-0896

Echo Van Meteren 12400 170th St Linwood KS 66052 913-683-4939 fairecho@gmail.com

Leavenworth County Planning Commission

Leavenworth, KS pz@leavenworthcounty.org

Dear Planning & Zoning Directors and Planning & Zoning County Commissioners,

I am writing to you today regarding a public hearing for a Special Use Permit submitted by Kaw Valley Companies, Inc. Address: 00000 Lenape Road/166th & Lenape, Parcel ID Number: 235-22-0-00-004.00:

As you can tell by my address I live near the proposed quarry. We moved here four years ago because we fell in love with the peaceful country setting. We went to work cleaning up the 24-acre property. We planted nearly 100 fruit trees and have a large 1200 sq. ft garden each season. From the time of the last frost to the first frost we are outside working. This property provides food for my family all year long. The long-range goals were to have an established orchard and gardens that would produce enough goods to sell at the Farmer's Market.

When I received the notice of the hearing, I was interested in learning exactly what the process of extracting raw materials would entail and how it would affect the area. I went about researching the process. What I found was somewhat surprising.

Aesthetically, an open sand pit processing plant does not fit into the surrounding built environment; a golf course, farms, and residential properties. Those requesting the special use should "fit" into the aesthetics of the built environment. Beyond the aesthetics, there are serious health factors to consider.

FACT: Diesel emissions cause cancer "IARC classifies diesel engine exhaust as "carcinogenic to humans," based on sufficient evidence that it is linked to an increased risk of lung cancer. IARC also notes that there is "some evidence of a positive association" between diesel exhaust and bladder cancer".Jul 27, 2015

https://www.cancer.org/cancer/cancer-causes/diesel-exhaust-and-cancer.html

FACT: Diesel emission cause confusion in bees. Studies show that the diesel emissions will reduce the bee population.

https://www.denverpost.com/2013/10/03/diesel-fumes-baffle-bees-study-shows/ "Diesel exhaust fumes alter the flowery smells that guide bees when they forage, potentially sending them off course and putting the food-growing industry at risk, a study said Thursday. This in turn, threatens the insects' crucial role as key pollinators of human crops. "Somewhere in the region of 70 percent of the worlds crops require pollination service, and...about 35 percent of our current food production is reliant on pollination,"study co-author Tracey newman of the University of South Hampton told a press conference ahead of the report's release in the journal Nature

Governmental regulatory authorities have a duty to protect the outdoor ambient environment so that those in the neighboring area would not be subjected to an increased health risk. Due to the scale of this project, the thousands of heavy trucks and the operation itself will produce an increase in diesel emissions in our area during hauling and processing. There are train tracks that cross 166th St. When the trucks stop for a train this will increase the concentration of emissions to those living nearby. This will have an impact not only on our physical health but for those of us that rely on bees as pollinators. This will impact our livelihoods.

FACT: blowing sand: Silicosis; caused by the silica in the dust of industrial sand operations causes incurable fatal lung disease. "SILICA EXPOSURE AND POTENTIAL HEALTH IMPACTS 2 Introduction As reported in "NIOSH Hazard Review: Health Effects of Occupational Exposure to Respirable Crystalline Silica," occupational exposure to respirable crystalline silica dust can have several adverse health consequences, including silicosis, tuberculosis, chronic bronchitis, emphysema, and chronic renal disease [NIOSH 2002]. In addition, NIOSH has classified crystalline silica as 2 a potential occupational carcinogen [NIOSH 2002; 54 Fed. Reg. 2521 (1989)]. 2 Federal Register. See Fed. Reg. in references. Silicosis is the disease predominantly associated with crystalline silica exposure. Silicosis is an incurable and potentially fatal lung disease caused by the inhalation of respirable crystalline"https://www.cdc.gov/niosh/mining/UserFiles/works/pdfs/2012-112.pdf PER EPA: "substantial portion of these emissions may consist of heavy particles that settle out within the plant."

There is no fugitive dust mitigation procedures that will adequately protect those playing golf on the neighboring course. All you must do is drive by the existing sand excavation sites to realize this project will adversely affect the existing business at Burning Tree Golf Course and those that live near the proposed site and truck routes.

FACT: "Noise pollution affects both health and behavior. Unwanted sound (noise) can damage physiological health. Noise pollution can cause hypertension, high stress levels, tinnitus, hearing loss, sleep disturbances, and other harmful effect"-

https://www.researchgate.net/post/What are the harmful effects of noise pollution

"continual noise sets off the body's acute stress response"-

https://www.science.org.au/curious/earth-environment/health-effects-environmental-noise-<u>pollution</u>

Kaw Valley stated in the narrative description that they plan to operate 12 to 24 hours a day and with noise levels at 97.3 decibels at the sight are extremely high. Even a quarter mile away the noise is higher than normal tones. Industrial noise should not be introduced where none presently exist if it is going to adversely affect those who would be subjected to it.

FACT: Traffic hazards on our rural roads: The Wisconsin Department of Natural Resources Industrial Sand Mining Strategic Analysis states: "Vehicular traffic on local roads will have an impact on the service life and condition of the roads. The degree of road deterioration will depend on the amount of traffic, the type of vehicles, and the design of the road" - Wisconsin Department of Natural Resources Industrial Sand Mining in Wisconsin Strategic Analysis for Public Review June 2016 https://dnr.wi.gov/topic/EIA/documents/ISMSA/ISMSA.pdf.

Heavy truck traffic on our county roads with no shoulders is an increased risk to those who frequent these roads. Accidents already occur on Hwy32 especially at the intersection of Hwy32 & 158th St. The narrow county roads have been, by resolution, exempt from commercial traffic for a reason. It is well known that this area is a favorite of bicyclist, motorcyclist, joggers, and horseback riders.

These brief research citations are just a few of the many, lengthy articles that can be found regarding the environmental impact of this type of operation. In the day and age, when we are encouraged to help keep our earth clean; when we understand more about how our bodies react to the environment in which we live and work; I cannot in good conscious support this activity in our neighborhood. This is a neighborhood. We may have larger yards than those in town, but it is our neighborhood. Our livelihoods, our investments, our respite come from this sweet spot in Leavenworth County. A sand pit will damage it.

Per the Leavenworth County website: "Leavenworth County Planning and Zoning department exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare..... The function of Planning & Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision Regulations and the policies set forth in the Comprehensive Plan"

The "maintain a desirable quality of life for all residents, protect our common environments" – is especially pertinent. There is a duty of those appointed and elected to protect those of us that have already invested into our community. After my research on sand pit processing, I urge you to vote NO in granting the special use permit for Kaw Valley Companies, Inc. the Lenape Sand Quarry based on the detriment to human health, the desecration of natural habitat, the potential for water pollution, the decrease population in bee colonies, the destruction of a recreational business (Burning Tree Golf Course), the decrease in property values (which will lower the assessed value).

Sincerely,

Echo Van Meteren

Affidavit of Publication

STATE OF KANSAS }
COUNTY OF
LEAVENWORTH }

SS

Tammy Lawson, being duly sworn, says:

That she is Tammy Lawson of the Leavenworth Times, a daily newspaper of general circulation, printed and published in Leavenworth, Leavenworth County, Kansas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 21, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Tammy Lawson

Subscribed to and sworn to me this

day of

Rebecca A. Broom, , Leavenworth County, Kansas

My commission expires: June 07, 2019

County of Leavenworth State of Kansas

NOTICE OF PUBLIC HEARING

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-19-008) for a Special Use Permit for extraction of raw materials: sand for Kaw Valley Companies, Inc – Lenape Sand Quarry; such use being listed in Article 19, Table of Uses, in the Leavenworth County Zoning and Subdivision Regulations.

The Special Use Permit (DEV-19-008) request is for the following described

property

The southwest quarter of Section 22, Township 12, Range 22 East and portions of the northeast and northwest quarter of Section 22, Township 12, Range 22 East of the 6th P.M., located in Leavenworth County, Kansas.

Request submitted by Kaw Valley Companies, Inc.

Address: 00000 Lenape Road/166th & Lenape Road

Parcel ID number: 235-22-0-00-004.00

The hearing will be held on Wednesday the 12th day of June, 2019 at 6:00 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas.

Further information is available for inspection during regular business hours in the Leavenworth County Planning & Zoning Department, located in the County Courthouse. All interested persons are invited to attend the meeting if they wish to comment on this request.

Jeff Joseph, Secretary

Leavenworth County Planning Commission Publish by 5/21/2019

Published in the Leavenworth Times, May 21, 2019.

00000267 00034244

Leav County - Planning & Zoning 300 Walnut Suite 030 LEAVENWORTH, KS 66048



Affidavit of Publication

STATE OF KANSAS } COUNTY OF LEAVENWORTH }

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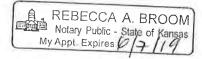
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with truck traffic. The way I read that is, they have to have some kind of expert opinion on whether truck traffic would impair human occupancy or future commercial use of the property. ROCCA was required to reimburse the governing body of this case for all its expenses. That included engineering fees which should be substantional when we are talking about designing safe roads or intersections. The traffic safety study that we ask for, where is it? The agreement with the landowners, that is a great idea but how does it come about? We need a deadline for these requirements. I did not hear John Zoellner say that he Recommended this. I heard him say there was a need to address the traffic. Schools are also concerned due to school buses that will be picking up the children. We offered testimony in writing that would impair real estate value. We would like the application to be denied.

Jeff Burton – All the reclamation that is guaranteed is on the open pit mining that was done years ago. The traffic study was requested because of some commercial development that was proposed and then retracted.

These things have nothing to do with what we are doing here.

John Zoellner – The letters they gave me, referred by the appraiser said that the property value would be affected by 20 to 80%. There is a big difference between an 80% loss and a 20% loss. There was no documentation, only a piece of paper that says his signature. I had my house appraised and there were several of pieces of paper that went with that. They are asking us to accept a piece of paper from an appraiser that has no professional study on it.

Jeff Burton – All we are asking is for approval with the conditions stated.

Commissioner Maxwell – There are two things I would like to address. The standard of rock, do you have any idea of what rock is in the ground

Jeff Burton – We have done study that there is a portion that would fit the expectations of Geiger and others.

Commissioner Maxwell – We still have the Basehor/Linwood school district has been notified that there will be 200 trucks a day. How many trucks do you figure a day?

Jeff Burton − I do not have any real idea at this time.

Discussion on traffic through DeSoto

Commissioner Phillips – What times do you blast?

Jeff Burton - We blast on time in the afternoon. It would be between four and six in the afternoon

Commissioner Maxwell entertained a motion -

Commissioner Denney made a motion to deny SUP-02-017 due to the traffic

Commissioner Ewert seconded the motion

Vote was 5-4 to deny Motion denied.

The Board of County Commissioners will hear this on the 19th day of September 2002 at 1:30p.m.

Minutes in complete detail are on tape in the planning office in the basement of the courthouse.

- Trucks cannot be routed through the City of DeSoto without meeting requirements of the DeSoto City Council.
- 4. A site plan must be submitted to the County to obtain a building permit for placement of buildings and occupancy.
- 5. Permit good for 10 years.
- 6. Limit hours of operation from 7:00 a.m. to 7:00 p.m.
- 7. Applicant must enter into an agreement with a Community Association of local property owners to provide a framework for dispute avoidance and resolution.
- 8. The County shall adopt Blasting Regulations to address the permitting and use of explosive materials.
- 9. Applicant must comply with all County, State, and Federal regulations.

One other thing regarding the roads, we were concerned about going through DeSoto. We are still equally concerned about going down Loring Rd. It may be safer going through DeSoto then to go down Loring rd. DeSoto is in an Urban situation where they expect children to be and they are driving slowly. It is easier for them to react and they are expecting kids. When we were out on Loring Rd, there were children on bicycles, whether or not that is a good idea is irrelevant. The trucks will be moving faster and they will not expect children. Our concern is mainly traffic.

Does the Applicant wish to speak - Jeff Burton - I would like to commend the staff for their effort. The staff report brought the issues that were mentioned in the last two hearings. We will have no problem with the conditions that are set forth in the staff report. Under Emergency Preparedness-The concern on training personnel about mine collapse will be addressed by my safety health administration they will take care of that. Reclamation plan for underground mines, we do not have reclamation plans for underground mines but when it is needed it is administered by the state. The permit change to 10 years would be no problem, we will probably only need it for seven or eight years. Hours of operation we would request to change from 6:00a,m. to 8:00p,m. We are seasonal and this time of year when the sun is up we would like to start early. The agreement with the neighbors has worked well with us in Independence. What it boils down to is the safety issue on the roads. Our route which is somewhat designed would to be go back north. We have met with the city of DeSoto. They have some legitimate concerns and we will work through those. I do not see where that is a decision you have to make here, it is a Johnson County, DeSoto problem that we will work out with them. There have been two proposals in the recommendation, which we are agreeable to and one is that we post a performance bond. The second is that we pay a fee per ton along with the performance bond, we are more than willing to do. We are agreeable to all the recommendations so if there are any questions I can answer, I can do that now.

Commissioner Phillips – Am I correct that if we require you to improve the intersection at 158th that you are willing to do that?

Mr. Burton – If that is part of the fee per ton, yes we are. If it is over and above that, this is a short project, and I would like to get a handle on what you want and the cost.

Commissioner Phillips – I think John is proposing that we do this upfront prior to getting started so the improvements are already there.

John Zoellner – What improvements need to be done; You need to let them know if they should pay for it upfront or pay so much per ton and then go from there.

Testimony in Opposition of this proposal -

John Tillotson – (Handed out pictures of area around mine.) The conditions that Mr. Zoellner has mentioned for the most part are desirable conditions. I do not think they are specific enough or go far enough to protect the public. The reclamation plan has to be formulated upfront then guaranteed with a performance bond. I think this is something, The applicants would like to ignore by saying that normally there isn't any reclamation for an underground mine. I am not sure what the implications of that statement are. Certainly, we think that when you are going to deface the property in a neighborhood even if it is private property, this becomes a public issue and one that should be addressed. They should adopt a plan to do

foundations. Some felt vibrations once a day from the blasting. None felt that there were any negative impacts on property values.

I talked to a real estate agent who sells property in the area and she indicated that prices were increasing and there seemed to be no negative impacts from the mines. We received two letters from an appraiser and local real estate agent indicating substantial property value declines if an underground mine were approved. These letters offered no statistical evidence to prove their conclusions.

An agreement between the mining company and a Community Association of the local property owners was created to address any potential impacts of the mining operation. The property owners I talked to were generally satisfied with ROCCA's efforts to honor that agreement and the responsiveness of Jeff Burton to any issues that have occurred. From these conversations, I believe the fears raised by opponents are not occurring at the existing site.

As to the impact of mining on lakes and ponds, the mine in Independence is having a golf course with lakes built on top of the mine. There appears to be no concern of damaging those lakes. The mining company should be held responsible for damages under an agreement with surrounding property owners, similar to the one used in Independence.

Since the City of DeSoto has expressed their opposition to this application, I assume that trucks would be prohibited from entering the City. We should assume all traffic leaving the mine going east, north, and south will take 158th Street to Loring Road and East to Bonner Springs. Traffic going west will take Golden Road to 189th Street and jog North to Highway 32. While the culverts and bridges along these routes may be adequate, the routes are narrow with some dangerous curves. The applicant should provide specific actions that will be taken to make these routes safe. The possible actions would be widening the roads in some areas, turn lanes added in some locations, lowering speed limits in some areas, or required strict compliance with speed limits by trucks operating from the mine.

STAFF RECOMMENDATION:

The staff still has concerns about the safety issues caused by increased truck traffic. The staff recommends the following conditions be placed on any underground mining operations approved.

Conditions:

- 1. Emergency preparedness considerations:
 - Training of County personnel in mine collapse or confined space rescue.
 - Fence around site to protect from intruders.
 - Emergency action plan and site plan to emergency services—Fire Department, Sheriff's Department and Emergency Management.
 - Sign at entrance with emergency contact phone numbers.
 - Meet State guidelines regarding storage of explosives.
- 2. Environmental considerations:
 - A plan for noise and dust pollution control measures.
 - Maximum explosive charges allowed with seismic monitoring.
 - An engineered septic system for wastewater.
 - Storm water runoff detention to protect downstream properties.
 - A reclamation plan for the crushing and loading areas be prepared and approved by the County Commission prior to mining commencing.
 - A study on the impacts to endangered species by the Kansas Biological Survey.
- 3. Transportation considerations:
 - Applicant must obtain a Highway Permit: Use of Roads For Haul Route and submit the required guarantee of performance.
 - Improvements should be made by applicant at the following locations to improve safety:
 - a. intersection improvements on 158th at the property location;
 - b. right turn lane on 158th Street at Loring Road; and
 - c. widening of curves at 158th and Golden Road and 189th and Golden Road.

All improvements shall be as designed by an engineer.

- A fee per ton for road repair, monitoring, and training purposes shall be paid on an annual basis with an annual report indicating number of tons mined and the immediate assessment of a commercial Transportation Impact Fee.
- Vehicles used on the property will be licensed in Leavenworth County.

- need to know location of septic. There appears to be a well on the site. Rural Water District #6 advises that no additional water meters can be issued in their district until the completion of the approved water storage tank for Suburban Water Company located at Kansas Avenue and 24-40 Highway.

Staff Recommendation:

There are still a few issues to be resolved on this plat. We may request that it be tabled.

Commissioner Luse – All they are trying to do is find out the site of the septic

Does the Applicant wish to speak -

Testimony in Favor of this proposal - None

Testimony in Opposition of this proposal - None

Questions, comments, Commissioners -

Commissioner Maxwell entertained a motion -

Commissioner Luse moved to table Clawson Subdivision until all the information is present

Commissioner Denney seconded the motion

Commissioner Phillips amended motion to read until the location of the septic tank has been located

Commissioner Luse and Commissioner Denney accepted the amendment

Carried 9-0

Item No 7: Consideration of the application of a Special Use Permit (02-017) to operate an underground rock quarry on a tract of land located in the SE1/4 of Section 15, Township 12S, Range 22E and E1/2 of the SW1/4 of Section 15, Township 12S, Range 22E and that portion of the E1/2 of NW1/4 of Section 22, Township 12S, Range 22E. Submitted by Rocca Processing LLC. Property owners, Willard and Martha Olander.

Staff Report: Property Owners: J. W. and Martha C. Olander, 12421 158th Street, Linwood, KS. Kenneth R. and Patricia Tinberg have requested the removal of their property from consideration of this permit.

Location of property: North side of Golden Road generally between 158th and 166th Street
John Zoellner showed map of surrounding property owners at the operation in Independence, Missouri. (Insert in Minutes)

Issues Raised at Previous Meetings

The following issues were mentioned at the previous two meetings:

- 1. Noise of quarrying operations and trucks off-site;
- 2. Dust from quarrying operations;
- 3. Vibrations to structures from blasting;
- 4. Cracks and other damages due to blasting;
- 5. Impact on property values;
- 6. Integrity of mine operators;
- 7. Restoration of surface areas;
- 8. Impact to ponds and lakes from blasting;
- 9. Danger of increased truck traffic on narrow roads.

I have talked to seven of people who live near the underground mine operated by ROCCA in Independence, Missouri. The area has had previous open pit and underground mines, so these residents are very familiar with the impacts from mining operations. I specifically asked these residents about the above concerns. All heard minimal noise from blasting and none from actual mining operations. They had no problem with dust or cracks in

June 6, 2019

Dear MS Vicki Kaaz, Commissioner, 2nd District,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

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Sincerely,

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

KAREN J. REHM

17373 Metro Avenue Bonner Springs, KS 66012

June 25, 2019

Leavenworth County Commissioner

Attn: Vicky Kaaz, District 2

RE: SUP-Kaw Valley Sand Plant

I am writing in regards to the special use permit DEV-19-008 (SUP-Kaw Valley Sand Plant) for the Kaw Valley Companies for a surface mining and sand quarry located at 166th Street north of DeSoto, Kansas in Leavenworth County.

Cell: (913) 575-6164

I have been a lifelong resident of southern Leavenworth County and attended Basehor-Linwood schools. I travel this stretch of county roads daily to commute to work and assist with the care of my elderly parents who are adjacent property owners. I cannot imagine any benefits for Leavenworth County residents in approving this quarry. Have you traveled the proposed route these trucks are proposing to take? If so, you would know the dangers inherit for all concerned. These are not the roads to be shared with huge heavy semi-trailer sand trucks.

I am also concerned the effects the mining operation will have on the environment and the landowners surrounding it. Have you visited a current operating Kaw Valley sand mining plant (while in operation) to see the impact it will have on your County? Can you envision this at 166th where it is all farmland? The County is currently undertaking dust abatement on county roads. Why would you approve an operation of this magnitude for 20 years that will fill the entire area surrounding it with dust while you're abating dust on your roads?

As elected representatives of the County who will be voting on the approval of this quarry I ask that you do several things.

- . Please visit the existing Kaw Valley Sand plants at the following locations:
 - 9501 Woodend Road, Edwardsville, KS
 - 8440 Gibbs Road, Kansas City, KS
- . Visit the proposed site at 166th and imagine a sand quarry. Imagine what residents in the area will deal with.

. Drive the proposed route the trucks will take from the sand quarry. Then imagine a distracted driver pulling out from one of the side roads in front of a truck. Or an impatient driver trying to pass a truck on a blind hill and meeting a car. Or an inexperienced teen driver on a snow packed road. All very real situations that can and will happen with the amount of traffic these trucks will create. It would only be a matter of time. Serious and even fatal accidents will occur. This is not an operation for a few years but one for 20 years. Please think in the best interests of you residents. Please do not allow this to happen. As a resident of Leavenworth County I am asking you to vote NO on this permit/request by Kaw Valley Companies.

Sincerely,

of over heher

From:

Sloop, Stephanie

Sent:

Wednesday, June 12, 2019 3:42 PM

To:

Voth, Krystal

Subject:

Sand Plant Voicemail

Ms. Beau Ryva,

Left a voicemail expressing that she wanted all of the Commissioners to know that she is very against the Sand Plant coming in and she feels like there is misinformation on facebook about the use. She had several concerns Kaw Valley and the impact. She would like to put her vote in as no.

Stephanie Sloop

Public Relations and Planning Coordinator Planning and Zoning Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth. KS 66048 (913) 684-0465 ph

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:37 PM

To: Subject: Voth, Krystal Sand Plant

I received a call from Mr. Terry Sipp who stated he would like the meeting for the Sand Plant to be postponed due to the natural disaster.

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:38 PM

To:

Voth, Krystal

Subject:

Sand Plant

Mr. Jeff Hayes in the County stated he would also like the meeting for the Sand Plant to be postponed due to the tornado down in the Linwood area.

Thank you,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 8:58 AM

To:

Voth, Krystal

Subject:

Kaw Valley Sand Plant

Krystal,

I just received a call from Ms. Tammy Hane stating she would like to have the meeting postponed for the sand plant in southeast Leavenworth County due to the fact that so many down in that area have been impacted by the tornado.

I told her I would email and let you know.

Thanks,

Melissa Johnson

Code Enforcement Officer II Planning & Zoning Department Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth, KS 66048 Phone (913) 684-0465 Fax (913) 684-0398 mjohnson@leavenworthcounty.org

Dear Commissioner:

I am writing this letter because of our concerns on the proposed Special Use Permit for the Lenape Sand Quarry on the Leavenworth County site near DeSoto. There are many concerns as well as a threat to the way of life in this area. This community has grown as residence are trying to escape the busyness and traffic of the city.

The biggest affect for us personally is the route of the large trucks to and from the sand plant. We understand that County Road No. 2 (158th St.) is being considered as a route to and from the sand pit. This would entail 240-360 truck passes per day, weighing between 25-30 tons during the 12-hour day the plant would be in operation. 158th is a road with lack of site, due to hills and curves; and no shoulder on either side. Truck prohibited signs and speed limits are not enforced on 158th St., South of K32.

Who does this effect daily besides the taxpayers?

The children getting on and off of school buses & the drivers- prior to additional proposed trucks being added to the traffic, the buses already are stopping in the middle of the two lane road in order to protect children from people going around the bus and to ensure oncoming cars are aware they should be stopping, in particular due to the curves and blind hills

Delivery drivers – Postal workers, UPS, Amazon, Sanitary workers just to name the few I have seen in the last week. Since there are no shoulders for these workers to pull onto, they are parked on the road in order to fulfill their responsibilities.

Residence picking up their mail and caring for their road frontage. We have had people hit just in the last year simply trying to get their mail. I can't tell you how scary it is trying to care for your road frontage on a blind hill with a ditch along side of the road, with cars, much less large trucks flying by you, not even sure if they see you. If we do not care for our road frontage, we have limited visual to see traffic when departing from our driveway.

Other drivers on the road – as we followed a large truck through the hills and curves of 158th St last weekend, I can show the video of the truck constantly bumping and going over the <u>yellow line</u> as these roads were not made for large trucks, much less trying to pass each other and other traffic.

Planning commissions recommend denial of sand permit

January 30, 2013

Both the Eudora and Lawrence-Douglas County planning commissions voted Wednesday to recommend definal of a permit application for Penny's Aggregate to develop a large sand pit mine along the Kansas River.

It will now be up to the Douglas County Commission to make a final decision in a vote tentatively scheduled for Feb. 27.

The Sudors planning group voted 4-0 to deny the permit. The vote on the Lawrence-Douglas County panel was 4-3 for

That represented a reversal for the Lawrence-Douglas County group, which voted narrowly in October to recommended approval of the permit, subject to several conditions. But it was a consistent vote for the Eudora planning group, which has been solidly opposed to the proposal all along.

Athough several concerns were raised during the lengthy public hearing, Eudora Planning Commissioner Johnny Stewart summed up the one issue that seemed most important in swaying votes; the choice between developing and marketing the occurity's natural resources, or protecting its most valuable farm land.

"to seems to be a competition between resources, whether it's land or sand," Stewart said.

Both of those goals are listed as priorities in the county's long range comprehensive plan, known as Vision 2020.

The proposal called for developing a sand pit on 434 acres near the Kansas River, north of Eudora. It was a rare instance when the application had to go before both planning commissions because the site is in an unincorporated portion of Douglas County, but within the three-mile extratemitorial jurisdiction of Eudora's zoning authority.

Penny's sells the sand for use in concrete mixes and other construction material.

"The big thing for me is the destruction of class 1 and class 2 soils," Lawrence-Douglas County commissioner Clay Britton said "It's a decision about which resource we want to have available for use "

The proposal has been before the county commission once but had to be sent back to the planning commission because of a tecranical error in the public notification process. Property owners on the north side the river in Leaverworth County were not notified of the earlier public hearings, even though they live within the 1,000-yard radius where notification is required.

Several Leavenworth County residents came to Wednesday's hearing to express objections to the noise that would be created. They asked for additional conditions to be attached limiting the level of noise and the hours of operation for the pit.

Others who testified including the city of Eudora, raised concerns about the impact the pit mine would have on the stability of the river bank and the potential for groundwater contamination in the event of another major flood on the river.

Barbara Paulus

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

May 12, 2019

Leavenworth County Planning Commission 300 Walnut Street Leavenworth, KS 66048

Re: Case No. DEV-19-008 (Kaw Valley Sand Plant)

Request for full evaluation of threats to endangered and threatened wildlife species by the U.S. Fish and Wildlife Service and the State of Kansas prior to granting a special use permit.

Request to the Planning Commission

I am requesting an immediate delay in the evaluation of the special use permit to Kaw Valley Companies for the tract of land located in the southwest quarter of Section 22, due to the possible violation of the U.S. Endangered Species Act, the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Lacey Act and other local, Kansas and federal protection laws or ordinances.

There is enough evidence compiled to presume probable cause that the proposed sand mining operation would be in violation of the Bald and Golden Eagle Protection Act, and possibly other federal and state laws.

Background

A preliminary review of the wildlife and bird population, and an inquiry into research done by Kansas State University of the proposed site for the Kaw Valley Sand Plant and the surrounding area have revealed several possible violations of Bird and Animal protection laws that are meant to preserve the habitat and nesting areas of endangered, threatened or vulnerable species.

Bald and Golden Eagles

Bald and Golden Eagles have been documented as nesting in the area surrounding the proposed Kaw Plant. One was sited June 10 during a visit to the Burning Tree Golf Course (see Figure 1). Many nests and juvenile and adult eagles have been observed and photographed over the years in trees in the vicinity.

Barbara Paulus

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

Act."

(https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)

f. Current agricultural planting and harvesting would not be of concern to the eagles due to the time period of the activities (not during nesting and raising of the young), and due to the temporary and relatively short duration of the noise and the visual activity. The sandpit however, would operate throughout the year including during the most vulnerable time for nesting and raising young.

Other Protected, Threatened or Vulnerable Wildlife

- 1. Hognose Snake: (See Figure 2)
 - a. Both the Western and Eastern Hognose snakes are considered threatened in Kansas. https://ksoutdoors.com/Services/Threatened-and-Endangered-Species/Western-Hognose-Snake
 - b. Habitat protection is paramount per the KS Dept. of Wildlife, Parks and Tourism https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - c. Snakes located on a property adjacent to the Kaw Valley proposed project have been the subject of documented research by the Kansas Dept. of Wildlife, funded by a grant from Kansas State University due to the species' threatened status and relative rarity in Eastern KS.
 - d. The snakes have been spotted recently and repeatedly at Burning Tree Golf Course, and their feeding and nesting grounds include the surrounding areas including the agricultural fields that Kaw Valley proposes to convert into a sand pit.
 - e. This snake needs grasslands and sand to survive, and is very sensitive to vibration. The destruction of adjacent grasslands/feeding grounds and the impact of dredging and blasting, truck and machinery operations will destroy the habitat of the existing Hognose snakes.

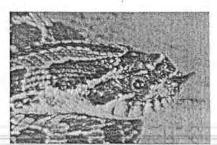


Figure 2 Western Hognose Snake, KS Dept. of Wildlife

2. Yellow Billed Cuckoo (see Figure 3)

Dear Planning and Zone Board Members and Commissioners,

We would like to advise, this has not been very easy to absorb the shock of this issue. We are not sure how the businesses and residents of our lifelong county are to be informed of this kind of issue, however finding out the news about a sand plant on Facebook, by a member of our business, was quite alarming on April 25, 2019.

There are many concerns we have for this sand plant project:

Natural Wildlife

- We have contacted Kansas State University and the Kansas Department of Wildlife to
 assist us with a hognose snake which was researched on the grounds of Burning Tree.
 This research was funded from a grant given from Kansas State University, for this snake
 that is threatened and endangered species, to our grounds in the state of Kansas.
- O Kansas State Wildlife extension office of Johnson County and the Kansas Wildlife headquarters in Pratt, Kansas, and the Secretary of State, are trying to locate the research. They advised me on Tuesday, June 11, 2019, that they need time to find the records and research. The head of Ecological Services, Chris Barrows in Pratt, is working on this, but director of Kansas State University extension office in Olathe has advised, we should ask for an extension for this hearing. Neither entity will be able to have the research available to meet this deadline.
- o This snake has been identified and seen on the grounds in the last year, by a golfer who was quite concerned, when their ball landed in the sand, where this snake was sunning.
- O Bald eagles fly daily, over the Burning Tree Golf Course, and fishing the river for food. These eagles have nested on the grounds of Burning Tree and along the river to the east and west of our property lines. They are very territorial and chase other large birds from the property. Many people come to patronize our course to enjoy the in-flight eagles above our leased property. Many pictures have been taken frequently, with the last known occurrence was cited by a golf course visitor and myself, on Monday, June 10, 2019. He was an adult bald eagle flying over our green. Pictures do tell the story and date/time of this occurrence.
- Additional bird wildlife, which was identified and pictures taken was totaled at 33+ different species. These sightings of bird occurrences took place on Monday, June 10, 2019.
- We have contacted the Kansas Wildlife, to advise of our concerns. The National Bald Eagle Act has been attached.
- O White Tailed Squirrels are quite common on the golf course. The Kansas Wildlife was not aware of these squirrels on our property. However, this squirrel is here year after year and not been seen anywhere else in Kansas. This squirrel has been named Bernie, by a young golfer, as our mascot.
- O Please provide an extension, so that Kansas State and our Kansas Wildlife can complete their research on the hognose snake in which is a threatened and endangered species, on our grounds.
- Various other wildlife, including large Black Snakes that protect our course from venomous snakes as well as small rodents. Our 7 foot black snake's name is Charlie and no golfer disturbs his presence and he likes watching the game while sunning.

Golf Course Members and Patrons of Burning Tree

O Please consider the elements of a tranquil and serene wildlife environment for the pleasures of thousands of golfers a year. Our rounds of golf equals over 15,000 for last year's attendance. Yes, that is why many golfers visited Burning Tree. People from all

- the blowing sand in their face, hair, clothes, golf bags and clubs, and their personal vehicles.
- o Sand will become airborne, throughout the area. Making breathing difficult for many people and wildlife. We have not been given details about this, however, most sand plants do require employees to follow safety issues required by law.

Traffic Concerns

- A traffic study was completed and it is extremely concerning. These trucks must be allowed to use our rural roads of Leavenworth County, finding the closest route to a Kansas funded hi-way. Our two Kansas hi-ways are K-10 in De Soto at Kill Creek and Lexington Ave in De Soto and K-32 to the north of Burning Tree, which runs from Linwood, through Bonner Springs, and Edwardsville. City of De Soto has requested for the trucks to not cross the bridge. These routes will endure in a 12 hour day, around 400 sand filled trucks, and return to the site, for additional trips. These plants, sometimes run, 24 hours a day, creating twice the truck traffic 3) sand trucks causing backups at the railroad crossing; for any and all persons.
- Truck traffic will make all forms of travel, dangerous, (cars, bicycles, motorcycles, busses); safety for our children of our community who ride school busses, to and from school and who wait at the road for pickup; safety for people traveling, to and from work, using the KS river bridge to cross from Leavenworth Co. to Johnson Co, or visa versa
- Our taxpayers will endure repairing/replacing the roads and bridges; All routes to/from this location cannot handle the turning of semi's and the weight of these trucks at 80,000 lbs.
- Vehicle safety for the golfers who use 166th to access and exit Burning Tree for play.
 Also for the children who are enrolled in the Optimist Academy
- Also for our young high school golfers and school coaches and families, who use our facility with school participation of golf.

Lastly, my family has been living in Leavenworth County for over 75 years and my entire immediate family have always supported the community, local businesses, schools, and our local government. This topic has been extremely difficult for our family, due to our commitments all inside Leavenworth County jurisdiction. Always, living in Fairmount Township and working in Leavenworth till retirement and now our business in Sherman Township, of Leavenworth County. We are extremely committed to the county with all of which we spent inside the borders of this county, while we participated lifetime schools for generations, University of Saint Mary's, employment between both spouses, present planning and zoning commissioner, today's president of Basehor Pride, and hundreds of hours of volunteer work, providing opportunities for many others through our work in our communities. Please consider the quality of life of our citizens have enjoyed throughout the years. As recovering from a tragic accident with hours and hours of therapy, at hospitals & rehab office visits, for the past 16 months and released, in April. I'm sorry for this late email, however the time frame of collecting my facts was not adequate.

Sincerely yours,

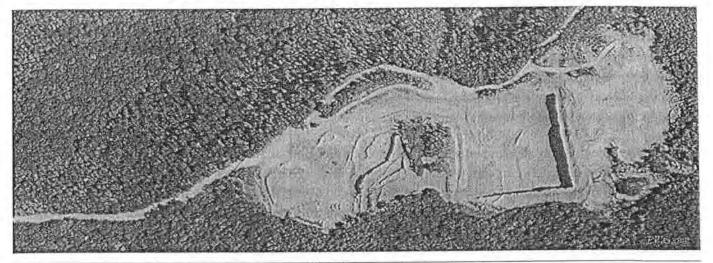
Stephanie Swenson

General Manager; GreatLife Golf & Fitness at Burning Tree; 11578 166th, Linwood, KS





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Danger in the Air

SEPTEMBER 25, 2014

Health Concerns for Silica in Outdoor Air

DANGER IN THE AIR: HEAPOTH BOOK ON CHANGE IN

OUTDOOR AIR

Introduction

Mining, processing and transporting sand generate large quantities of silica dust, which is notorious for the damage it does to the lungs and respiratory system when inhaled. In recent years, the dramatic expansion of hydraulic fracturing and horizontal drilling technology to extract gas and oil, commonly called "fracking," has led to boom in sand mining across the upper Midwest, creating a significant public health threat in the region.

None of the states at the center of this "frac sand" mining boom have adopted air quality standards for silica that are adequate to protect people living or working near the scores of recently opened or proposed mining sites. The growing danger of airborne silica is especially acute for children and other vulnerable populations.

Silica can impede breathing and cause respiratory irritation, cough, airway obstruction and poor lung function (Rego 2008). Chronic or long-term exposure can lead to lung inflammation, bronchitis and emphysema and produce a severgilling disease known as silicosis, poformeof pulmonary fibrosis (Hnizdo 2003).

The concentration of silica in the air is often estimated based on the percentage of crystalline silica in a given sample of PM10, PM4 or PM2.5 particles (100) 2001; Davis 1984; EPA 1996). Depending on the source, the level of silica in inhalable particulates corrected at quarries and sand pits can be as low as 1-2 percent or as high as 95 percent of total particulate will be (Environment Canada 2013).

When tiny silica particles lodge in the alveoli, they cause an ongoing inflammation that damages lung tissue and causes scarring and fibrosis, a precursor of silicosis and lung cancer (IARC 2012). Freshly crushed silica is more damaging to the respiratory system and produces a more severe inflammatory response than "aged" silica particles of the same size (Shoemaker 1995; Vallyathan 1995). Breathing sharp, freshly-cut sand dust, such as silica at sand mining and processing sites, carries a greater risk of pulmonary disease than breathing older, smoother particles weathered by heat, wind, and moisture — such as silica dust blown from cropland.

There is no federal standard for ambient air exposure to silica outside the workplace. Based on occupational data, the EPA came up with a health-protective benchmark for crystalline silica in PM10 particles of 3 micrograms per cubic meter (μ g/m3) (Gift 1997; US EPA 1996). Crucially, however, EPA's benchmark did not consider the risks of exposure to vulnerable populations such as children or people with respiratory disease. The federal air quality standard for long-term exposure to PM2.5 for the general population is 12 μ g/m3 a year, and the 24-hour, or acute, PM10 standard is 150 μ g/m3 (US EPA 2014).

State exposure limits are inadequate to protect children's health

Silica exposure is a well-known danger for workers in mining and construction. With the spread of frac sand mining, however, silica air pollution has also become a danger for residents near sand mining and processing operations. Children, older adults and people with respiratory diseases are especially at risk. In the absence of a national air quality standard for silica outside the workplace, six states have developed their own standards or guidelines.

State	Calif.	Minn.	New Jersey	Texas	Vermont**	New York**
Limit (µg/m3)	3	3	3	2	0.12	0.06
Type of limit	chronic reference exposure level	chronic health- based value	long-term reference concentration	chronic reference value	hazardous ambient air standard (annual)	annual guideline concentration
Measured as	PM4	PM4	PM10	PM4	PM10	PM10

Table 3. State exposure limits for crystalline silica in air*

^{*} Long-term exposure limits for general population based on the risk of silicosis.

^{**} General population exposure limits derived by state agencies from occupational exposure values established by the American Conference

toxicants and to chemicals that affect the immune system. The California, Minnesota and Texas silica exposure levels all disregarded potential vulnerability children to air pollutants such as silica.

Applying both the three-fold and 10-fold adjustmentagetors, EWG calculates that a truly health-based value for silica exposure in outdoor air should be no higher than 0.3 µg/m3, and it may need to be lower.

To date only Vermont and New York have met this threshold. Both states have, in fact, set even more stringent silica exposure guidelines of $0.12~\mu g/m3$ and $0.06~\mu g/m3$, respectively. In setting those limits for silica in ambient air, New York and Vermont used a different method than California or Texas. Both started from occupational exposure limits and applied an adjustment factor of 100~(10~x~10). This combined factor of 100~takes into account the inherent toxicity of silica and the variable vulnerabilities of the population.

How much silica are communities near frac sand mines breathing?

Data on air pollutants near the Midwest's burgeoning sand mining and processing plants are limited. Detailed air monitoring studies are critically needed to track the levels of airborne silica and other air pollutants near sand mining and processing operations and along the routes driven by trucks transporting the sand. Such studies should measure both airborne silica levels and how far silica and other air sand-mining pollutants travel on the wind (WDNR 2012).

One study of a sand and gravel facility in California found that at 750 meters (almost half a mile) downwind, the furthest point monitored, the level of silica in the air was twice as high as at an upwind site (Shiraki 2002). The silica content in particulate matter samples decreased from 33 percent at the plant itself to 10 percent at 750 meters away (Shiraki 2002). EWG recommends that air quality should be monitored at up to 1,500 meters (almost a mile) from sand mining and processing facilities. Monitoring at even greater distances may be necessary if significant quantities of silica are found at 1,500 meters downwind.

EWG's accompanying interactive map of existing or proposed frac sand operations in a region that spans parts of Minnesota, Wisconsin and Iowa identifies zones of concern at distances of 750 meters and 1,500 meters from each site. The potential risk of airborne silica at any given location depends on both the size of the site and the type of activity. A 1,500-acre open-air sand mine would generate more silica dust and disperse it over a wider area than an indoor processing facility or a railway loading station. The mapped zones of concern should be considered only as indicators of potential risk. Further research may indicate that these zones should be larger.

Analyzing estimated silica levels near frac sand sites

In January 2013, a research group from the University of Wisconsin-Eau Claire did a study of PM2.5 particle pollution near sand mining and processing operations. The choice of PM2.5 particle size was based on several factors. First, these smaller particles are more toxic to the respiratory system. Second, PM2.5 particles are encompassed in the California, Minnesota and Texas silica limits based on PM4. In contrast, the larger PM10 size would include many particles that are excluded from the limits set by California, Minnesota and Texas. Finally, there is a federal PM2.5 annual standard for the general population that corresponds to chronic open-air exposure, but there is only a short-term exposure standard for PM10 particles (US EPA 2014).

(/12/2010

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Rego G, Pichel A, Quero A, Dubois A, Martinez C, Isidro I, et al. 2008. High prevalence and advanced silicosis in active granite workers: a dose-response analysis including FEV1. J Occup Environ Med 50(7): 827-33.

My wife and I sent this letter to all 5 county commissioners and as you. I have one request before you vote on the sand plant special use permit: would it be possible for every voting member to travel the proposed truck route and visit the site before you make a vote that is beneficial to the citizens of this county? If this is not possible before Thursday June 12th would not be in everyone best intrest to postpone the meeting till this has taken place? Thank You, 17322 Golden Road Linuxod, Ks. 66052 816-807-2076

June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lemape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, as phalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

We want answers please,

June 6, 2019 JUN 1 2 2019

Dear Mr. Jeff Joseph, Director, LV Co. Planning and Zoning,

l am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

Sincerely:

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

From:

Joseph, Jeff

Sent:

Monday, June 10, 2019 7:42 AM

To:

Voth, Krystal; Sloop, Stephanie

Subject:

FW: Request to delay sandpit hearing

From: Barbara Paulus [mailto:barbpaulus1@gmail.com]

Sent: Friday, June 07, 2019 7:29 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Request to delay sandpit hearing

Mr Joseph:

Please forward this email and the attached photos to the Planning Commissioners.

As I am certain you know, our part of the county-Linwood and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Many of us had direct damage to our property due to wind, water and debris (sharp large pieces of tin fell from the sky). Besides protecting life and searching for and helping victims, our community members had to immediately stop further damage to their homes, relocate families to other housing if necessary, move trees and debris just to get out of their homes and garages. Electricity, gas, cell coverage and landline outages lasted for days for many of us. Food and water was delivered to workers and volunteers.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives-farming, going to work and school, taking care of our families. I have attached photos taken yesterday of my community-9 days after the tornado. You can see that there is tremendous damage, as well as debris and road blockages.

It will take months to get back to normal here.

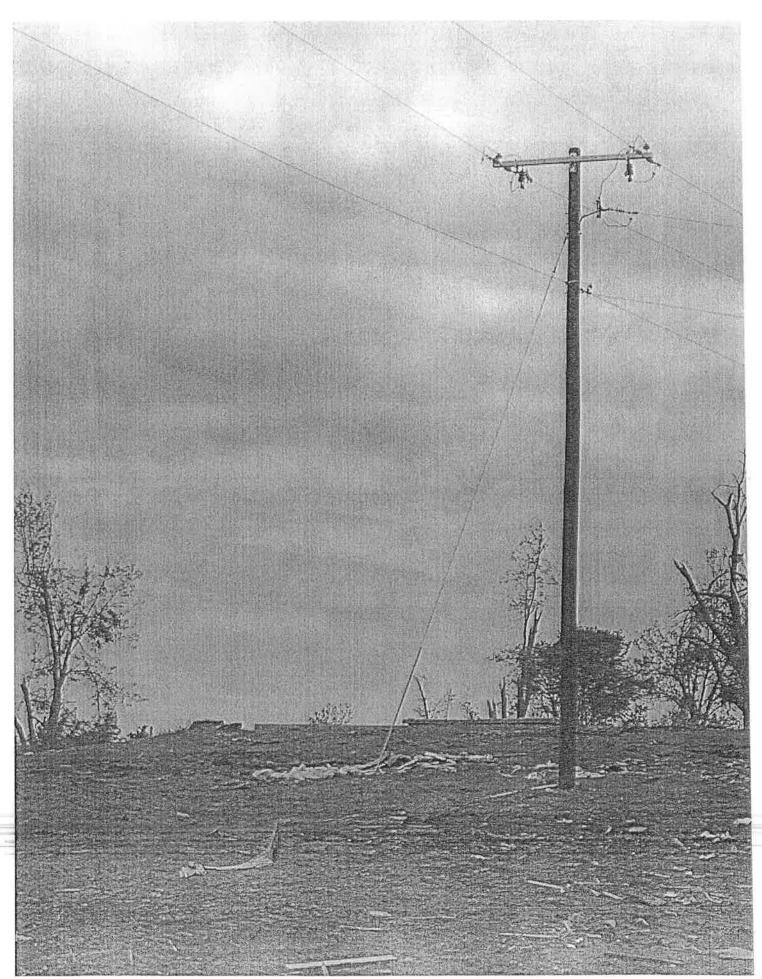
We understandably have not had the time to do the research and give proper thought to the proposed Sand Pit.

That is why I am asking that the hearing on the Sandpit for Kaw Valley originally scheduled for June 12th be delayed.

Barb Paulus 13921 166th St. Bonner Springs 913-526-0896

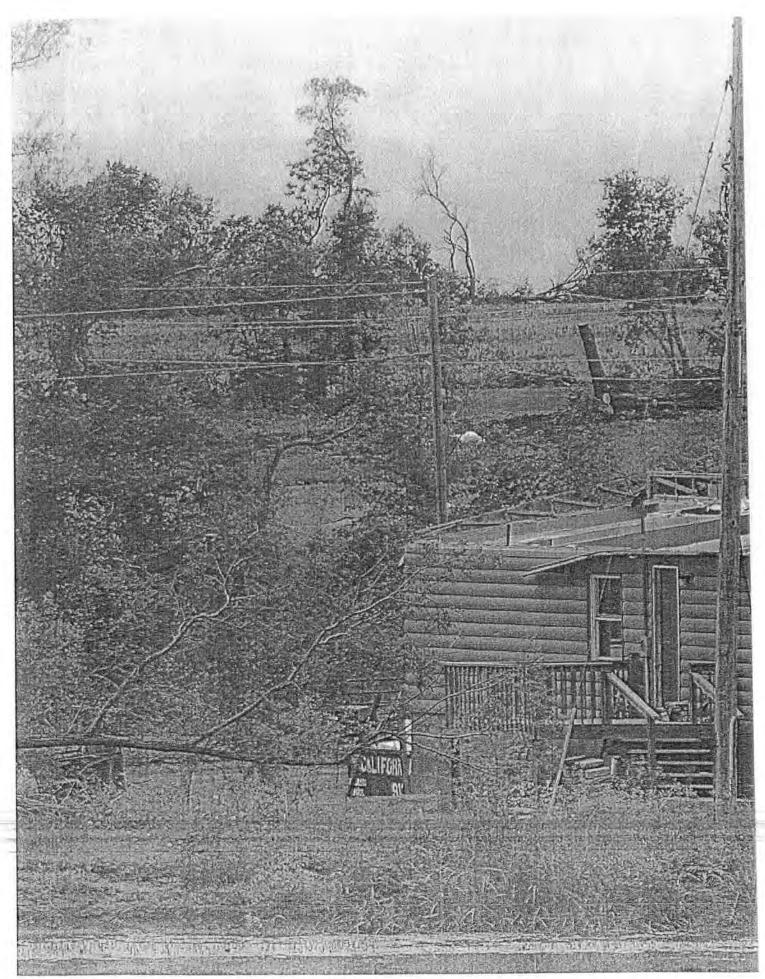
Sent from my iPad by Barb Paulus 913-526-0896

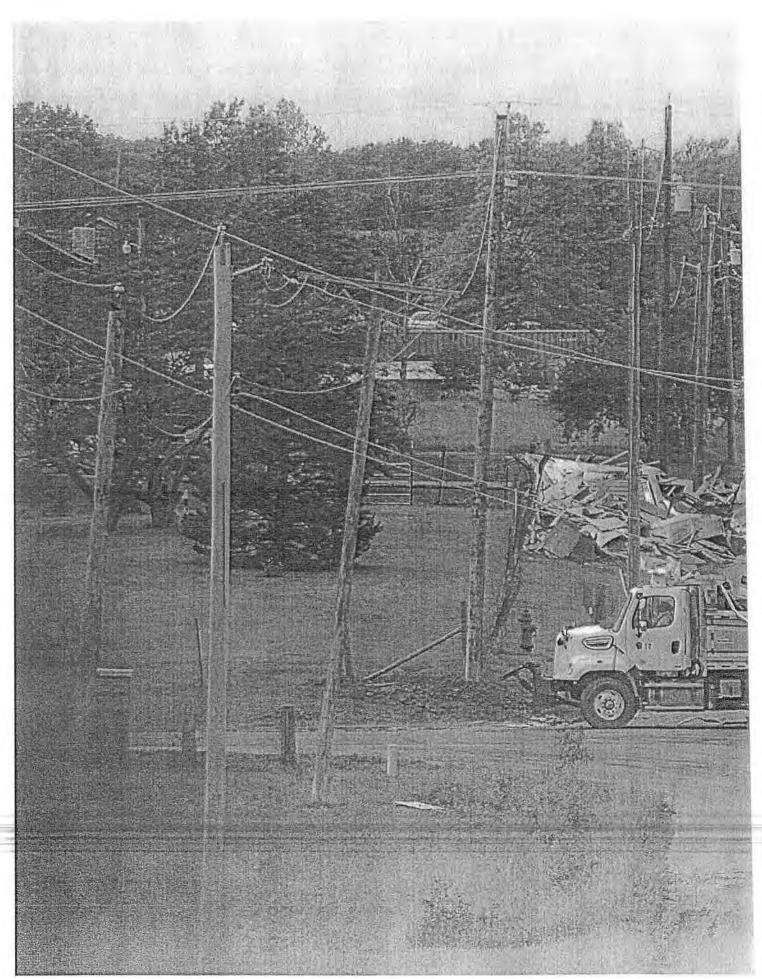












Echo Van Meteren 12400 170th St Linwood KS 66052 913-683-4939 fairecho@gmail.com

Leavenworth County Planning Commission

Leavenworth, KS pz@leavenworthcounty.org

Dear Planning & Zoning Directors and Planning & Zoning County Commissioners,

I am writing to you today regarding a public hearing for a Special Use Permit submitted by Kaw Valley Companies, Inc. Address: 00000 Lenape Road/166th & Lenape, Parcel ID Number: 235-22-0-00-004.00:

As you can tell by my address I live near the proposed quarry. We moved here four years ago because we fell in love with the peaceful country setting. We went to work cleaning up the 24-acre property. We planted nearly 100 fruit trees and have a large 1200 sq. ft garden each season. From the time of the last frost to the first frost we are outside working. This property provides food for my family all year long. The long-range goals were to have an established orchard and gardens that would produce enough goods to sell at the Farmer's Market.

When I received the notice of the hearing, I was interested in learning exactly what the process of extracting raw materials would entail and how it would affect the area. I went about researching the process. What I found was somewhat surprising.

Aesthetically, an open sand pit processing plant does not fit into the surrounding built environment; a golf course, farms, and residential properties. Those requesting the special use should "fit" into the aesthetics of the built environment. Beyond the aesthetics, there are serious health factors to consider.

FACT: Diesel emissions cause cancer "IARC classifies diesel engine exhaust as "carcinogenic to humans," based on sufficient evidence that it is linked to an increased risk of lung cancer. IARC also notes that there is "some evidence of a positive association" between diesel exhaust and bladder cancer".Jul 27, 2015

https://www.cancer.org/cancer/cancer-causes/diesel-exhaust-and-cancer.html

FACT: Diesel emission cause confusion in bees. Studies show that the diesel emissions will reduce the bee population.

https://www.denverpost.com/2013/10/03/diesel-fumes-baffle-bees-study-shows/ "Diesel exhaust fumes alter the flowery smells that guide bees when they forage, potentially sending them off course and putting the food-growing industry at risk, a study said Thursday. This in turn, threatens the insects' crucial role as key pollinators of human crops. "Somewhere in the region of 70 percent of the worlds crops require pollination service, and...about 35 percent of our current food production is reliant on pollination," study co-author Tracey newman of the University of South Hampton told a press conference ahead of the report's release in the journal Nature

Heavy truck traffic on our county roads with no shoulders is an increased risk to those who frequent these roads. Accidents already occur on Hwy32 especially at the intersection of Hwy32 & 158th St. The narrow county roads have been, by resolution, exempt from commercial traffic for a reason. It is well known that this area is a favorite of bicyclist, motorcyclist, joggers, and horseback riders.

These brief research citations are just a few of the many, lengthy articles that can be found regarding the environmental impact of this type of operation. In the day and age, when we are encouraged to help keep our earth clean; when we understand more about how our bodies react to the environment in which we live and work; I cannot in good conscious support this activity in our neighborhood. This is a neighborhood. We may have larger yards than those in town, but it is our neighborhood. Our livelihoods, our investments, our respite come from this sweet spot in Leavenworth County. A sand pit will damage it.

Per the Leavenworth County website: "Leavenworth County Planning and Zoning department exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare...... The function of Planning & Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision Regulations and the policies set forth in the Comprehensive Plan"

The "maintain a desirable quality of life for all residents, protect our common environments" — is especially pertinent. There is a duty of those appointed and elected to protect those of us that have already invested into our community. After my research on sand pit processing, I urge you to vote NO in granting the special use permit for Kaw Valley Companies, Inc. the Lenape Sand Quarry based on the detriment to human health, the desecration of natural habitat, the potential for water pollution, the decrease population in bee colonies, the destruction of a recreational business (Burning Tree Golf Course), the decrease in property values (which will lower the assessed value).

Sincerely,

Echo Van Meteren

Timberg Living Trust 16104 Golden Asad Linwood, Ks 66052 County of LEAVENWORTH State of Kansas LEAUENWORTH COUNTY PLANNING COMMISSION LEAUEN NORTH COUNTY COMMISSIONERS Sirs: WE ARE WRITING YOU IN REGRED to the PERMIT (DEV-19-008) Sought by KAW VALLEY Companies, IMC. - LEMADE SAND QUARRY FOR OPEN PIT MINING NEVE TO # 235/ 22-0-00-004.00.

WE ARE SENIOR CITIZENS IN OUR EIGHTES, AND
have lived in this home since 1957. When we moved
here it was remote and private. There was not
a bridge over the Kaw River, and All Roads in
the Aren were dist roads. Since then, the bridge
lending off liber street to Desoto was built, and
lending off liber street to Desoto was built, and
our property was cut in two to build Golden
our property was cut in two to build Golden
Road and 1584 street which today is a virtual race
track at times a narrow winding Road with no
track at times a narrow winding Road with no
track at times a narrow winding road with no
track at times a narrow winding road with no
track at times addition of 200 plus heavy
shoulders. We feel the addition of 200 plus heavy
trucks making round teips per day would damage our
trucks making round teips per day would damage our ROADS AS WELL TAS CAUSE CONSIDERABLE ACCIDENTS, ESPECIALLY ON the present bridges and intersections, which are dangerous at present, AS A past School bus driver, WE GREATLY WORRY
About the Students getting on and off the buses
Along the proposed Router!
We have adjusted to All the changes since 1957, but feel it would be hard to Accept the dust, Noise, danger AND DESECRATION of the Lord's EARTH PROPOSED I'M this PERMIT UNDER CONSIDERATION. If you Board members ARE Not familiar with this site, we used you to visit it - A bEAUTICH, tranquil part of LEAUENWORTH County, WE ASK you to CHERY this permit. LEHUEHWORTH COUNTY couldn't possibly make Enough income from this Enterprise to make the the dangers and havor this would cause. Thank you for your consideration, Henneth R. Jinling KENNELL R. TIMBERG -

PATRICIA M. Timberg - Patricia M. Linkey

From: Tinberg Farms LLC <tinbergfarmsllc@hotmail.com>

Sent: Sunday, June 09, 2019 9:00 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; Smith, Doug; Stieben, Mike; PZ; Loughry,

Mark; Kaaz, Vicky; Schimke, Chad; Loughry, Mark

Subject: Special Use Permit - Kaw Valley Company - Lenape Quarry

Attachments: AFT Farms Under Threat May2018 maps B_0.pdf; silica dust 2.pdf

To Planning & Zoning Board Members and Commissioners,

My name is Mark Tinberg. I reside at 16904 Kreider Road, Bonner Springs, KS. I've been a lifelong resident of Sherman Township in southern Leavenworth County.

My parents reside at 16104 Golden Road, which is on the north side of Golden along the proposed Kaw Valley Company truck route. They have lived at this location for 62 years. In those 62 years, they have witnessed many accidents including fatalities on the narrow, winding, deep ditches and steep road banks with NO shoulders all the way to K32 highway. Golden Road and 158th street were not designed nor is the structure built to handle the load and frequency that would be imposed on it. The bridges that are now in place are rated at 15 tons or less. These trucks will be weighing 40 tons plus. Are you planning to stick the tax payer with the burden to upgrade the roads and bridges so that big business can profit at our expense? At 158th & K32, there are frequent accidents which have included fatalities. This intersection has limited sight both east and west bounds making it a dangerous intersection for passenger vehicles, let alone adding the extra traffic of heavy loaded sand trucks.

I've driven heavy trucks for 40 + years including an 18 wheeler which I transport grain with to Kansas City. There is absolutely no way to turn North on 166th from Lenape Road or East on Golden Road from 166th without swinging wide into the oncoming lane in order to keep the trailer wheels on the road.

I have been a farmer my whole adult life, farming the ground on three sides of this proposed pit. My parents, my wife and I own the ground on the west side, we lease the ground on the east side. In the 42 years that I've been farming full time, I have lost lease on a total of 625 acres due to sand pit mining, industry and housing development. This is an epidemic and going to become a real problem for our country and the world. Farmers feed the whole world and without the land it can't be done. See attached document for more information. I farmed beside a sand pit for several years and have seen the operation first hand. It totally destroys the land and its gone forever. No matter how hard they try to control the dust it will blow. OSHA has acknowledged how hazardous silica dust is for humans. This is concern for the residents that live close to the project. We will have to endure breathing silica dust for the next 20+ years. See attached document.

There is no rural water system near this proposed pit. The homeowners are on private wells and are concerned about the water quality. Kaw Valley will be dredging into our water table and giving contaminates direct access.

I've read your mission statement. If you approve this permit, you will be going against your very mission. This project is not only going to affect the people around it but everyone along the route.

Before you vote on this, I'm asking you to personally view this site, drive the route (in a big truck if possible) and go look at some of the sand pits in the area. It's only fair to ask this of you since you are representing the people of this county. This project will impact us the rest of our lives. Take a minute and put yourselves in our shoes, would you want this in your front yard?

Thank you for your time.

From: Tracy Tinberg < tracytinberg@hotmail.com>

Sent: Sunday, June 09, 2019 7:44 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; PZ; Loughry, Mark; Smith, Doug; Stieben,

Mike; Kaaz, Vicky; Schimke, Chad; Loughry, Mark; culbertson@leavenworthcounty.org

Subject: FW: Special Use Permit (DEV-19-008) - Kaw Valley Company

Attachments: silicia dust 1.pdf; AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

Dear Planning and Zone Board Members and Commissioners,

As you are fully aware, the SE Leavenworth community is concerned about having a sand quarry operation in this part of Leavenworth County.

My husband and I farm for a living. We farm on three sides of this proposed project, two of which we own and we lease the third property. Yes, this ground does have pockets of sand which is desirable by many companies. However, my question to you is at what cost do you allow greed to take away the much required and need commodity of FOOD....NO FARMLANDS = NO FOOD. Below are a few quotes from American Farmland Trusts report Farms Under Threat, The State of America's Farmland, dated May 9, 2018. Reports & Articles are attached for you reading pleasure.

- "America today is losing agricultural land at an alarming rate 175 acres every hour, 1.5 million acres every year." See attached links for reports and articles.
- "In the next 15 years, 1/3 of America's farmland and ranchland will likely change hands, as current landowners age and sell. Land is most at risk of being converted to a non-agricultural use when it is sold."
- "We need farmland to grow our food and the demand for food will only grow. Experts predict that we will need to increase food production by 60% by the 2050".
- "The future demands that we do all we can to 1. Protect farmland, 2. Promote sound farming practices, and 3. Keep farmers on the land."

Leavenworth County has highly fertile river bottom and creek bottom land. Leavenworth County is known as an agricultural county and should be extremely proud of that fact. In the Planning & Zonings own mission statement states ".....exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare. Our first and foremost desire is to work with our citizens in a way that meets their aims, goals, and ambitions. Through your elected officials, you shape the regulatory environment and our land use patterns and habits. The function of Planning and Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision of Regulations and the policies set forth in the Comprehensive Plan." From what I can determine, the sand quarry is not a fit for SE Leavenworth County.

As for the safety concerns, these chip and seal county roads have no shoulders, deep ditches, and are at most 2-3" thick. These "designated" truck routes will crumble rapidly with the constant abuse of up to 200 loaded trucks per day weighing 80,000 lbs, plus the returning empty trucks. Sure the county will get an annual road impact fee and a few bridges fixed finally but that's what our tax dollars are supposed to be doing but the county can't even maintain the roads with daily passenger vehicles, buses and the occasional wayward truck. Who's going to do the maintenance?

Speaking of maintenance, according to the DOT during the past 24 months Kaw Valley Companies has 31 violations, which 29 is truck maintenance violations which includes no or defective parking brake system, brake connections with leaks or constrictions, inadequate brakes for safe stopping, brakes out of adjustment, steering system components, inoperative turn signal, universal joint loose/broken or missing component. Do you really want this company driving on the same road as our precious cargo, our families and friends?

From:

Thomas Schram <thomasschram28@gmail.com>

Sent:

Wednesday, June 12, 2019 11:23 AM

To:

P7

Subject:

Sand pit

Dear members of lv planning and zoning, as so very many of us affected by this decision are also suffering serious damage from the tornado I would plead wit you to reschedule the meeting to a week or two farther and give us a chance to recover, many affected can't even live in their homes currently.

Thank you

Thomas Schram

From:

Steven henness < hennesss@yahoo.com>

Sent:

Wednesday, June 12, 2019 8:17 AM

To:

PΖ

Subject:

Delay of Hearing for the Proposed Sand Quarry

I support the request for delay of the hearing for the proposed sand quarry near the Burning Tree Golf Club at 166th St and the Kansas River.

Thanks, Steve

Steven Henness 20108 Golden Rd. Linwood, KS 66052

From:

southcounty <southcounty@aol.com>

Sent:

Monday, June 10, 2019 7:13 PM

To:

Joseph, Jeff

Cc:

Voth, Krystal

Subject:

Request to delay sandpit hearing

To: jjoseph@leavenworthcounty.org

Subject: Request to delay sandpit hearing

Please forward this email to the Planning Commissioners.

As you know, our part of the Leavenworth county-Bonner Springs and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Most of us had direct damage done to our property due to wind, water and debris. Besides protecting life and searching for and helping victims, our community members had to quickly act to stop further damage to their homes, and remove trees and debris just to move safely around homes and garages. Finding help and clearing was even more difficult if disabled.

Electricity and cell coverage was out and lasted for days for many of us.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives--farming, going to work and school and taking care of our families.

It will take many months to get back to normal around here.

We have not had the time to do the research and give proper thought to the proposed Sand Pit proposal.

I am asking that the hearing on the Kaw Valley Sandpit originally scheduled for June 12th be delayed.

Thank you, Joanne Erickson Bonner Springs Kansas 66012 913 220 8565

From: Joseph, Jeff

Sent:Monday, June 10, 2019 7:42 AMTo:Voth, Krystal; Sloop, StephanieSubject:FW: Kaw Valley Lenape Sand Quarry

From: Maureen Ross [mailto:mamaross7@gmail.com]

Sent: Friday, June 07, 2019 11:38 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Kaw Valley Lenape Sand Quarry

Mr. Joseph,

We understand by sending you this email you will forward it to the Planning Commissioners, thank you for this.

We first ask that you consider postponing the voting of the Kaw Valley Lenape Sand Quarry from June 12th to a later date. The devastation that this area received on May 28th form the EF4 tornado has left us with little time to think of anything else. We are cleaning up our homes, helping each other and trying to put our lives back together. In all of this mess we still have jobs, families to raise, obligations. We need more time.

We are land owners within a mile of the projected quarry site. We have many concerns we would like to share. We are unable to attend the June 12th meeting but would like for our points to be heard and considered.

We purchased our 35 acres, 33 years ago knowing that growth and change would eventually come to this area. We both grew up in the DeSoto, KS area. This however, is not the kind of change we feel will promote positive growth in Southern LV County.

We have raised 4 children who attended Linwood Elementary, BLMS and BLHS. Our district and community are a wonderful, quiet area to raise a family. Bringing a business with this magnitude, volume of heavy truck traffic, noise and destroying the farmland and leaving it unsightly will not benefit our community. Our roads were not built wide enough to handle daily travel of heavy trucks in mass quantity. We have no shoulders, our bridges will not withstand the weight and I will add the RR crossing is terrible now, it will be torn up within months with that kind of stress. The number of residential driveways on these county roads should be taken into consideration.

County Rd 1 has many curves and blind hills. Adding heavy trucks running loaded or empty to a major bus route is an accident waiting to happen. These trucks do not have the ability to stop quickly. All of the county roads that could be possibly used are residential, heavily traveled by families, young drivers and school buses. Not to mention farm equipment and bicyclist.

The intersection of CO RD 1 and 32 is very dangerous, it also has a blind hill. It is sad to say but we hold our breath each school year hoping no one is killed heading to Basehor. Adding 200 trucks traveling one way daily at this intersection will be a nightmare.

Has anyone spoken to Sherman Township Fire and Rescue on their concerns of the impact this will have on our community?

We drove by the Kaw Valley Sand Plant in Edwardsville today. We understand the operation in our area will be completely different but the trucks traveling the roads will be the same. This plant has the ease of 435 hwy being only a few miles away.

June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lemape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, as phalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

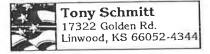
Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

Mary M. Schnitt 913-954-7586

We want answers please,

Anthony W. Schmitt\Stacey A. Schmitt



Commissioner Vicky Kaaz

I'm writing about the Lenade Sand Quarry Special Use Permit. The roads in this area have signs stating "COMMERCIAL VEHICLES EXCLUDED Res No 2009-50". This is your regulation and I hope you stand firm on your original resolution about these roads. I realize the suggested route is Golden Road to K32 but truck drivers will take the easiest and cheapest way possible to get to their destination. I have a picture from 6-3-2019 I took in front of my driveway on Loring Rd. The "COMMERCIAL VEHICLES EXCLUDED" signs are on both ends of this/my road but they don't care and obviously do the easiest route. These huge trucks are on our roads ALL DAY LONG! Furthermore, there are 3 school districts with school buses full of children that would be impacted on these roads that have no shoulders. The magnitude of this project would create tremendous safety hazards. Our chip and seal roads can NOT support this much commercial traffic. The sand trucks are estimated at 25+ tons and our bridges are only rated at 15 tons. How can they hold up to that much commercial use?

Please, Please, Please do the right thing and listen to your citizens and vote NO on the Lenape Sand Quarry Special Use Permit.

Signed, Och La Dott Lummers

Please and Thank you,

Scott and Andrea Summer 15251 Loring Rd. Bonner Springs, KS.

Ralph Wiggins 12151 desoto rd Linwood Ks 66052 to Planning and Zoning Leavenworth co Regarding the special use permit application DEV -19-008

I am writing concerning the proposed sand quarry@ 166th and Lenape rd.I live north and east of Lenape rd at Desoto rd and Green. I am not certain but I believe this project to be very close to my residence. I would like to state my concerns as I have owned this residence since 2005.

Water is my first concern. I have a sand point well, which is a shallow well, abouy 30 ft deep. I believe that destroying productive crop acres by removing soil to dredge sand will contaminate my and my neighbors water supply

In my opinion this project will have a negative impact on property values and make a peaceful community into a dusty noisy high traffic area and ruin the country setting many of us enjoy.

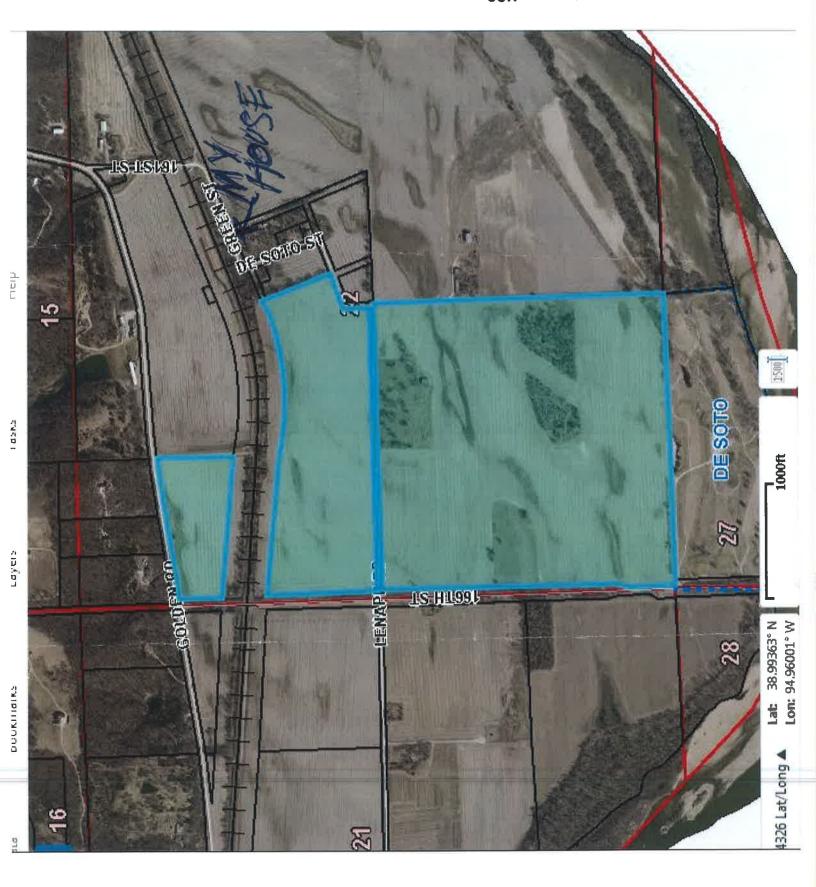
As a runner and bicycle rider I have been thankful for the well maintained area roads. I believe that these heavy sand filled trucks will damage our roads and cause the need for constant repairs and make cycling dangerous as well as damaging cars

I ask that this permit be denied and we be able to continue to enjoy our homes

Thank you for your attention

Ralph Wiggins

JUN 2 8 2019



June 6, 2019

Dear Ms. Krystol Voth, Senior Planner, LV Co. Planning and Zoning,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

THE PARTY OF THE P

Sincerely,

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

June 11, 2019

To: The Leavenworth County, Kansas Planning Commissioner Members

C/O Mr. Jeff Joseph, Director of Planning & Zoning

300 Walnut Street, Suite 030 Leavenworth, KS 66048

From: Michael G. McDonald, PE 14439 Woodend Road Bonner Springs, KS 66012

Re: Case No DEV-19-008 (SUP – Kaw Valley Sand Plant)

Dear Commissioners,

"Is this a good project that will advance the quality of life and economic health of the residents of Leavenworth County?"

I have lived in Leavenworth County since September 1988; nearly thirty-one years. I currently reside within the 5th Commissioners District of Leavenworth County. This letter expresses my personal views about the proposed Kaw Valley Sand Plant SUP application.¹

I believe this proposed sand mine north of Desoto fails a reasonable Golden Factors analysis. Thus, it is not an appropriate land use and therefore it is your duty to forward this SUP application to the Leavenworth Board of County Commissioner with your opinion that is should be denied.

In *Golden v. City of Overland Park* (1978)² the Kansas Supreme Court determined that adoption of a zoning ordinance or a comprehensive plan is a legislative action. When addressing a change in zoning of a single parcel of land the court stated that "[w]hen, however, the focus shifts from the entire city to one specific tract of land for which a zoning change is urged, the function becomes more quasi-judicial than legislative." Public bodies - like the Leavenworth County Planning Commission - performing quasi-judicial actions, like your consideration of this SUP³, are held to a reasonableness standard.⁴

The Golden court states, that: "[w]hat has troubled trial and appellate courts alike is: What is 'fairly debatable' and what is 'reasonable'?" **The consensus is that zoning body member should each individually and verbally specify the factors they considered in making their decisions.** "A mere yes or no vote upon a motion to grant or deny leaves a reviewing court in a quandary as to why or on what basis the board took its action."

¹ The opinions expressed in this letter are mine, and mine alone. They are not the views of my employer.

² Golden v. City of Overland Park, 224 Kan. 591, 598, 584 P.2d 130 (1978)

³ Special Use Permit (SUP)

⁴ The Golden Factors have been applied in conditional and special use permit cases. *See, K-S Center Co. v. City of Kansas City* (1986)

An SUP grants specific changes to the zoning for a property and therefore must consider the same issues. The staff report should provide information on these issues, but their findings should be referenced by the Planning Commission in motions and discussion. Improper consideration of or lack of reference to these factors will most likely result in a court overturning the decisions of the Board or Commission, if challenged.

2) "Golden Factors"

The court suggested some factors that a zoning body might consider:

- Golden 1: The character of the neighborhood,
- Golden 2: The zoning and uses of properties nearby,
- Golden 3: The suitability of the subject property for the uses to which it has been restricted,
- Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,
- Golden 5: The length of time the property has remained vacant as zoned,
- Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner.
- Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.⁵
- Golden 8: The recommendations of permanent or professional staff.

The following matters may also be considered when approving or disapproving a rezoning/SUP request:

- (1) Traffic/Parking, (2) Location/Access,
- (3) Archaeological & Historic significance,
- (4) Topography/Drainage, (5) Wildlife Presence, (6) Design compatibility with surrounding area, (7) Ecological analysis,
- (8) Vegetation analysis,

- (9) Flood hazards, (10) Soil survey, (11)
- Sewage disposal, (12) Market/Economic
- analysis, (13) Water Supply, (14) Police/Fire/EMS protection, (15)
- Air/Noise pollution, (16) Demographic
- study, (17) Tax base implications.

In the forty-one years since Golden, reasonableness remains the standard of review.

3) Golden Questions Raised By This Application

Golden 1: The character of the neighborhood,

This project does not match the character of the neighborhood. Creating an industrial use in within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the

Michael McDonald, PE

⁵ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

This project does not match the character of the neighborhood. Creating an industrial use within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

There is a reason this property has not evolved into industrial use over the last several decades – basically it is not suitable for industrial use. Creating a modern sand mine is a use that was not envisioned by the zoning regulations, or by the residents that have chosen this area of Leavenworth County to live and raise their families.

Golden 2: The zoning and uses of properties nearby,

This area is zoned "Industrial". It seems to have been this zone for decades. Every parcel in Leavenworth County outside of a city between the Kansas River and the railroad tracks is zoned "Industrial". It is not clear why any of it was zoned Industrial. There are no industrial uses nearby and the closest industrial use is the rail siding and old quarry/cave sites at Loring, nearly four miles away.

Since the 1970's there are virtually no industrial uses that can operate or even attract investors due to the environmental restrictions of modern regulations. Examples are being within a FEMA regulated floodway (water up to ten feet deep in places at this site) without an expensive engineering studies that likely result in a "Federal Levee" surrounding the site, potential groundwater contamination of nearby public drinking water wells and more.

Golden 3: The suitability of the subject property for the uses to which it has been restricted,

It is clear that the property can be turned into a sand mine. That does not make it "suitable" for a sand mine. The impact of traffic, noise, air pollution, water pollution, viability within the floodplain and others make it unsuitable for the plans as presented

Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,

Permitting of a sand mine at this location will permanently and adversely impact adjoining property, nearby residential property, and all property in the county north to at least K32. These impacts (among others) are related to traffic, noise, pollution and more.

As will be mentioned elsewhere – this use adversely impacts many other properties than those within 1000 feet or even within ½ mile. A major concern of citizens throughout the county is the approximately 200 (or more) loaded sand trucks per day that will be making round trips between Edwardsville and this project. That is 400 TRUCKS PER DAY IN FRONT OF ANY HOUSE OR THROUGH ANY INTERSECTION.

The trucks may be leaving loaded at four to six minute intervals, but they will get bunched up at the railroad crossings, hills, behind school buses, entrances to K32 and for other reasons. They will then often travel in convoys of several trucks. It is worth noting that as truck drivers become familiar with the route they will become complacent, speeds will increase and attention spans decrease. Consider the adverse impacts of these trucks on:

- Children waiting for school buses
- School bus stopping along the route
- Pedestrians
- Safety of bicyclists and motorcyclists
- Motorists that are "driving too slow" for a convoy of trucks

Golden 5: The length of time the property has remained vacant as zoned,

This property has been used for agricultural purposes for decades. It has never been used for an industrial purpose, although adjoining properties have active and inactive municipal drinking water wells.

Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner,

Revenue: There is no revenue to the county from this project except road and bridge degradation fees. It is difficult to find any economic gain. There may be some increase in property tax collected based on value of stored materials, plant and equipment. There is no sales tax collected on the transactions.

Leavenworth County engineering office has calculated the damages to county roads and bridges on two of the routes supported by the county. This includes a bridge replacement and an annual fee. There are several problems with this calculation.

The method and assumptions of the calculation have not been made public. There is no evidence it has been reviewed by an independent consultant to ensure that the calculations are appropriate.

The process to determine the value of the damage to infrastructure owned by the public is not part of any known county rule, regulation or ordinance. The determination of the method to be used for damage calculations should be a transparent process, involving public hearings and a public vote by the County Commission

The County Engineer report does not state how these annual fees will spent. Are they limited to the "approved" routes used by Kaw Valley, or will they be lost in the general fund of the county to be used any purpose desired by the Commission? Will they remain in Sherman Township? A clear statement of what these funds are to be used for and how that use will be determined are essential for public trust.

There are few or no new jobs for this project as the mine employees are likely to be already employed by Kaw Valley Materials. The truck drivers (typically 40 - 50 per day) are truck drivers that already exist and there is no reason to expect that new jobs would be created.

Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a park property at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue benefit to Leavenworth County related to this project otherwise.

There is no meaningful gain, and evidence of great degradation to the health, safety and welfare of the public.

Air pollution: Constant exposure to diesel exhaust fumes from the trucks, pumps, dredges and other equipment (12 hours or more each day) is detrimental to the environment in general, local residents in particular, especially children and older adults. This is an area that should be investigated much further by Planning and Zoning staff.

Silica dust from mining operations is a health hazard⁶. Sand blowing from current sand mining operations in Johnson and Wyandotte counties can be seen on a regular basis. This dust creates a health hazard to local residents, pedestrians motorists and recreationists.

While the application notes that the blowing sand will be controlled through water and a "natural crust", this control has not been demonstrated as effective at similar sites. Having wet sand cost money to maintain, and is not desirable to transport as it results in less volume per trip. There is no incentive on the part of Kaw Valley Materials to aggressively address blowing sand.

Roadway Safety: Additional information related to "Traffic" is presented in the "Other Factors" section.

The safety of any driver south of or on K32 is impacted. The sand trucks will TRIPLE the number of heavy commercial vehicles on K32 according to KDOT traffic count maps⁷. Sand trucks will also travel on "non approved" county roads (most without shoulders and narrow) and endanger motorists, bicyclists, and pedestrians. Children are in greater danger waiting for a school bus and the school buses are exposed to greater danger as well.

As of May 10, 2019 KDOT has not provided a statement to Leavenworth County regarding safety, traffic patterns, possible signals or other highway issues as these trucks enter K32.

⁶ https://www.ewg.org/research/sandstorm/health-concerns-silica-outdoor-air

https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/maps/CountMaps/Districts/insetmap2017.pdf

Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.8

I urge all Planning Commissioners to review the "vision" for Leavenworth County, and the mission statement of the Planning Commission. These statements reflect that the intent of county government is for the citizens of the county and their quality of life, and not to place the interests of a private enterprise above the citizens.

The Comprehensive Plan appears to allow sand mining as a special use, but provides little guidance on how it should be regulated. The unusual zoning of agricultural flood plain being zoned as Industrial should not be considered as providing any sort of predetermined approval, and it should be carefully evaluated as meeting the goals of the Comprehensive Plan. Much of my thoughts on this are noted above in **Golden 2**.

Golden 8: The recommendations of permanent or professional staff.

Staff Report Issues: The "Staff Report" became available at some time Friday June 7. There is ONE mention that residents are concerned over this project. I am aware of several long-time residents of this area having informed the Planning Staff of their concerns and objections. Nowhere in this staff report are these contacts with residents and other citizens described or summarized so that the Planning Commission can be prepared to consider them.

Citizens have not had benefit of reviewing the Staff Report sufficiently in advance of the meeting to respond in detail due to the June 7, 2019 availability. There should be no rush to approval until factual information is available to consider these concerns. The City of Shawnee took several years for the permitting process on a similar sand mine south of the Kansas River and west of K7. Douglas County took over a year to issue the Conditional Use Permit for a similar project in 2013 (August 28, 2013CUP-12-00099). Significant requirements were imposed on the applicant in both of these cases, after substantial additional information was provided to the planning commissions.

Process Timeline: Before going into detail – I must voice my concern over the speed of the process. Emails in the staff report indicate that there was an effort for a Special Use Permit hearing as early as February, possibly in January. Other communities facing similar projects have taken YEARS to resolve details that appear to have a beneficial outcome to all parties.

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⁸ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

Other Factors9

How Other Communities Processed Similar Applications:

City of Shawnee pit/park/industrial sites west of K7 South of Bonner Springs. Permit originally applied for in 2007, dredging in the pit began about two years ago.

Douglas County (08-28-13 CUP-12-00099) took over one year to evaluate the details of a sand pit operation.

Traffic

The traffic study provided by CFS Engineers is woefully inadequate in evaluating the impact of this sand mine on the roads and residents of the county. The 5000 tons per day that is anticipated to be trucked out of the site may be directed to go certain routes, however other routes are available that may be shorter or more convenient. Leavenworth County has posted many roads to prohibit trucks, however residents have reported violations to the authorities without satisfactory resolution.

It is noted that the trucks will be directed as to what route to use. That is a good idea, but there is a history of trucks not obeying current "trucks prohibited" signs and limited enforcement is possible with current staffing of the Sherriff Office. Trucks that do not work for Kaw Valley are also expected to buy bulk sand at this site for their projects. Kaw Valley will have no control over these, and they can generally go where they want to in order to get to where they are going – into Desoto to get on K10 to Lawrence, north on County Road 2 to Basehor, etc. These un-designated roads will have more hazards such as limited width, no shoulders, poor sight distance for driveways, resulting in greater danger to everyone. These additional roadways are also degraded without compensation.

Should Kaw Valley be allowed to sell directly to contractors or businesses from the quarry, Kaw Valley will have essentially NO control of which route they take to their destination.

As of May 10, 2019 information obtained through KORA show that KDOT has not commented to Leavenworth County on their opinion and thoughts on the sand mine and routing of trucks. Any comments the county has received since then should be shared with residents so that they can be evaluated.

Noise

The noise of the sand mine has been likened to "farm equipment noise", and being at the level of slightly louder than "conversation". This is an inappropriate response as these are not adequate comparisons. Neither one of these is constant for eight to twenty-four hours per day. A sand mine is constant and forever, a combine is temporal (and expected in an agricultural setting).

⁹ Additional Documents Relating to this case are available on a Shared Google Drive: https://drive.google.com/open?id=1_9r8hbU43_19rEVXuVfBXwjRoK6dEqb

It has been suggested that a berm and a few trees will be planted to address noise impacts to adjoining properties. There is a science to noise reduction, and this is not it. Any berm must be properly sized, placed and shaped¹⁰. Multiple tree species must be selected that will actually grown in the noise reduction system, be effective for noise reduction throughout the year, and must be of an effective size when operations reach the off-site level . There must be a commitment to maintain their integrity by Kaw Valley as well.

I urge the Planning Commission to seek further information from experts in this field, and place a hard limit on noise levels at the north, south and east boundary of the project, and ensure any noise barrier system is designed by a professional and maintained for the duration of the project if it is approved.

Revenue: Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a public park property and industrial sites at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue to Leavenworth County related to this project otherwise.

Flood Hazards: It has been proposed by CFS Engineers that there is really not a flood plain problem since it "never floods". The truth is – FEMA maps are the "law of the land" and it is incumbent upon the applicant and the Flood Plain Manager (Leavenworth County) to address how the obstructions impact flood levels. The water surface elevation of the 1% Event (100 Year Flood) floods the entire site, up to ten feet deep in places.

The floodplain area at this site is further regulated –it is "Floodway" and cannot be impaired to cause flood levels to rise. It is REQUIRED that a rigorous analysis be prepared showing that the development meets the standard of a "No Rise" certificate. This certificate is a document signed by an Engineer licensed in the state of Kansas that the project will not create ANY rise in flood elevations. This does not mean 1/100 of a foot rise (1/8") is OK – it means NO RISE as in 0.000 feet is required. This analysis must be reviewed by the floodplain manager of the county before a permit is signed off on.

This is hugely problematic for this site for many reasons, including the items below

- 1. It is expected that a chain link fence will be proposed and/or required completely around the site. Chain link fence is treated as a solid barrier in flood calculations as it will trap debris in flood waters, sealing off flow through the fence.
- 2. It is expected that a berm will be required around the site to prevent agricultural runoff or flood flows from entering the pit

¹⁰ Example: https://arbordayblog.org/landscapedesign/using-trees-and-shrubs-to-reduce-noise/

and affecting water quality. This berm will be a huge obstruction to flood water flowing through the area.

- 3) Any berm for noise reduction is also a berm interfering with flow of flood waters.
- 4. Stockpiles and buildings create obstruction to flood flows. A huge stockpile is proposed for this site. This must be addressed in the "No Rise" certificate.

Water Supply: City of Olathe has water supply from wells near this site. It is possible that Johnson County Water One has recently obtained the old ammunition plant wells near the site and are believed to not have been notified of this hearing. Good water management practices recommend much greater distances between sand mines and public water supply wells than is proposed for this sand mine. The recommended minimum separation is 1000 feet to safeguard the public's water supply.¹¹

Final disposition of the property: It is shown in the submitted material that the property will revert to the owners for use as a private lake. This does take some imagination to believe that current family members will find the industrial site used for mineral extraction to be appealing after 20-25 years. This especially true once the statement of the applicant noting that they are currently seeking additional property to extend the life of the project is fully understood. Any permit issued must specifically prevent any other use of the site without the necessary zoning hearings in the future.

4) My Recommendations

The materials you have been given by the applicant and the County Staff seem intentionally vague and contain virtually none of the truly important details necessary to make an informed decision about a project that will profoundly change southern Leavenworth County **forever!**

I urge the Planning Commission to require the following information to review before this project goes forward to a vote:

- Obtain a legitimate traffic study focusing on the two "approved" routes, including KDOT recommendations and requirements on the routes.
- A definitive description of truck operations permitted such as
 - Idle time restrictions
 - Penalties for Kaw Valley related to company and contracted trucks failing to follow assigned routes, speeding, other moving violations, safety/inspection violations.
- Review and approve a sound/noise management plan with penalties to limit sound at property boundaries to a recognized standard. This plan to be developed by a sound management and/or landscape architecture professional with experience in

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¹¹ http://kansasriver.org/wp-content/uploads/2013/06/Sand-pits-and-Public-water-supply-wells.pdf

- natural sound barriers and industrial noise. Identify the impact over time on residences and businesses related to how a natural barrier must be allowed to grow and is required to be maintained to be effective
- Review and approve a water quality management plan for all adjacent water supply
 wells and ground water quality in general with a mitigation plan and/or penalties
 for failure to maintain water quality. Plan to be prepared by a Kansas licensed
 engineer or geologist.
- Review and approve a dust management plan with clear performance standards and penalties related to off-site migration.
- Require annual review by staff and the Planning Commission with a public hearing on how performance standards are being met by Kaw Valley Materials.
- Require drawings of "close-out" final grades and landscaping plans and a
 description of when and how these final conditions will be met. This should include
 disposition of industrial equipment, fencing and berm maintenance. Consider
 requiring a bond or closure fund to facilitate this closure.
- Resolve the definitive hours of operations for the dredging and processing equipment. This should be limited to ten hours per day or less, with NO WORK on Sunday, and possibly NO WORK on SATURDAY. Penalties for failure to comply should be specified. **Do not allow any option for 24 hour operation!**
- Obtain a copy of the County's written non-residential impact fee policy and the County Resolution which officially adopted this non-residential impact fee policy.
- Detailed calculations showing how the value of the impact funds were calculated and how they will be spent on the roads impacted.
- Detailed information on how the final site will be graded showing final slopes, final landscaping and describe how this will be paid for. Include requirements preventing any other use of the property without official approval.
- KDOT's position on the traffic from this project.
- Request the Sheriff's office prepare a report on their enforcement of truck traffic on non-approved routes, and how trucks not contracted to Kaw Valley can be prohibited from other routes
- Revised final operational area plans showing how greater buffers for noise and water quality are taken into account.
- Demonstrate how the issue of FEMA Floodway has been resolved by providing a
 copy of the "No Rise" Certificate and calculations prepared by a Kansas licensed
 engineer. This "No Rise" should addresses fencing, stockpiles, berms, landscaping
 and buildings on the site. This is especially complicated due to the anticipated
 prohibition of agricultural runoff entering the pit (and contaminating the
 groundwater) which will almost certainly necessitate a berm, and the noise berms.

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¹² Assuming this policy exists.

- Leavenworth County staff are the flood plain administrators and must approve or not approve the "No Rise" certificate.
- Statements from impacted entities such as USD Basehor/Linwood, City of Bonner Springs, City of Desoto, City of Olathe, Johnson County Water One, residents within 1000 feet and others.

5) In Conclusion

I urge all Planning Commissioners to reflect upon the intent of our zoning regulations. They establish a way that the county government can protect the citizens of the county and their quality of life while also allowing for land to be used to the benefit of the citizens. The zoning regulations were never intended to place the interests of a single private enterprise above the citizens.

Please reject this application as not being appropriate to the citizens of Leavenworth County. Or, in the alternative, reject this application, but allow for its future resubmittal with a greater level of documentation addressing the concerns of the citizens of Leavenworth County.

Sincerely,
===== SIGNED ====
Michael McDonald, PE

14439 Woodend Road Leavenworth, KS 66048 From: Van Parys, David <DVanParys@leavenworthcounty.gov>

To: mgmlvks@aol.com <mgmlvks@aol.com>
Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Date: Thu, Jun 20, 2019 4:26 pm

Mike, Please give me a call tomorrow morning (10:00h) to discuss the scheduling of the review.

From: mgmlvks@aol.com < mgmlvks@aol.com >

Sent: Tuesday, June 18, 2019 1:22 PM

To: Van Parys, David <DVanParys@leavenworthcounty.org> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

Thank-you, please let me know when and I will schedule some vacation time to come look at them

Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com>

Sent: Tue, Jun 18, 2019 11:34 am

Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, I believe that I have collected all of the documentation that P&Z has on this topic and will be reviewing that this afternoon. After I have had a chance to review and prepare a response I would still like to suggest that you come up and review the file to see what you would like to have copied in order to avoid any unnecessary copying/work.

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Saturday, June 15, 2019 10:37 PM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Cc:** Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

David - please find this KORA which is in addition to the one described below from May 28.

These are related to the same item, and my guidelines are the same.

- Dates/Times/Durations of staff having meetings with representatives of CFS Engineers and/or Kaw Valley Materials since January 1, 2018
- 2. Agendas, minutes, summary emails of any meetings identified in #1 above
- 3. It is believed county staff (likely PZ staff) conducted a joint site visit to the proposed sand mine with representatives of CFS Engineers and possibly others. I am requesting
 - Date and duration of site visit/s
 - List of Attendees at the site visits
 - Copies of any agendas, minutes, handouts, summaries or email associated with the site visit/s.

COPY

- 4. Related to the PZ meeting of June 12, 2019:
 - Any additional material distributed to the Planning Commissioners that was not included in the "Agenda" that was available on-line June 7, 2019 up to the current date.
 - Summaries of phone calls and emails received by County Staff that may have been prepared for the Planning Commission.
- 5. Copies of State and Federal permits submitted to the County for review on this project, including but not limited to:
 - Floodplain "No Rise" certificate and associated calculations
 - Any County actions or correspondence or email since January 1, 2018 with CFS Engineers, Kaw valley Materials, state agencies, federal agencies related to flood plain management and permit issuance matters
 - Copies of state/federal permits or applications to the county associated with NOI, SWPPP, Obstructions in Streams, etc.
 - Other state/federal/local permits or applications not listed
- 6. Copy of the calculations and methodology used by County Engineer/Pubic Works Director to determine the reimbursement fee presented to the Planning Commission.

Thank you

You may contact me at this email address of mailing address

Mike McDonald mgmlvks@aol.com 14439 Woodend Rd, Bonner Springs 66012 (In Leavenworth County)

----Original Message----

From: mgmlvks < mgmlvks@aol.com>

To: DVanParys < <u>DVanParys@leavenworthcounty.org</u>> Cc: Jklasinski < <u>Jklasinski@leavenworthcounty.org</u>>

Sent: Thu, May 30, 2019 2:41 pm

Subject: Re: KORA - DEV-19-008 Sand Pit Kaw Valley

David - Thanks. Paid today. talked to PZ, they copied the receipt and said they would get started and have this next week. If I need to add more \$\$ - let me know Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com <mgmlvks@aol.com>

Cc: Klasinski, Janet < Jklasinski@leavenworthcounty.org>

Sent: Thu, May 30, 2019 8:29 am

Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, Please drop the payment off at the Clerk's office and I will have P&Z staff begin the review and search.

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Thursday, May 30, 2019 8:27 AM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

Thanks - I'll be in today and pay

Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Thu, May 30, 2019 8:18 am

Subject: FW: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, Looks as if the on-line option is out.

From: Klasinski, Janet

Sent: Thursday, May 30, 2019 8:02 AM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** RE: KORA - DEV-19-008 Sand Pit Kaw Valley

I don't think so

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

Sent: Wednesday, May 29, 2019 3:07 PM

To: mgmlvks@aol.com

Cc: Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Janet, Can Mike pay his deposit on line?

From: mgmlvks@aol.com Sent: Wednesday, May 29, 2019 3:05 PM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Thanks. Can I pay online in anyway?

Mike

On Wednesday, May 29, 2019 Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> wrote:

Mike, Having had a chance to review your request I ask that you make a deposit of \$50, payable to the Treasurer of Leavenworth County, to cover the estimated time (@ \$15 per hour) and associated copying charges. The records you request will take staff time to find and review. Upon the conclusion of the search, any remaining balance of the deposit will be returned to you. An alternative is for you to visit the Planning and Zoning Office and review the records yourself. Please let me know how you wish to proceed.

From: Klasinski, Janet

Sent: Tuesday, May 28, 2019 3:22 PM

To: Van Parys, David < DVanParys@leavenworthcounty.org>; Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: FW: KORA - DEV-19-008 Sand Pit Kaw Valley

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Tuesday, May 28, 2019 1:50 PM

To: Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> Subject: KORA - DEV-19-008 Sand Pit Kaw Valley

Ms. Klasinski -

Please consider this my official KORA request for the following information, particularly related to the application of Kaw Valley for a Sand Mine Special Use permit in south Leavenworth County as

described in DEV 19-008

Requests can be fulfilled via paper copy or scanned/digital copy. If necessary - I can come to the Courthouse and look over documents in person. Please contact me if expenses appear to be greater than \$50.00

- 1. Any staff reports, draft staff reports, summaries of concerns of county departments and other correspondence related to Kaw Valley Companies (and any related subsidiaries, agents or others) for application DEV-19-008
- 2. It is my understanding that that there is a digital record for each parcel in the county that should have all correspondence to and from the county included in it. It is also believed that there is a paper file with the same information. I am requesting a copy of all correspondence in this file related to parcel 235-22-0-00-00-004.00-0 and as shown below highlighted in blue since 1975.



3. Please provide a copy of all application by Kaw Valley Companies (and any related predecessor, subsidiary, agent or other) for any land use activity in Leavenworth, County since 1975, particularly staff reports, draft staff reports, findings of the Planning Commission, Actions of the County Commission

4. Copies of any correspondence, email or notes of conversations between Leavenworth County Staff and Kaw Valley Companies related to DEV-19-008 not otherwise requested above.

Mike McDonald 14439 Woodend Road Bonner Springs, KS 66048 mgmlvks@aol.com

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Allen	14,385	13,371	-1,014	-7.0	1,692	1,789	-917	-6.4
Anderson	8,110	8,102	-8	-0.1	1,051	984	-75	-0.9
Atchison	16,774	16,924	150	0.9	2,192	1,852	-190	-1.1
Barber	5,307	4,861	-446	-8.4	534	662	-318	-6.0
Barton	28,205	27,674	-531	-1.9	3,639	3,047	-1,123	-4.0
Bourbon	15,379	15,173	-206	-1.3	2,187	1,888	-505	-3.3
Brown	10,724	9,984	-740	-6.9	1,394	1,381	-753	-7.0
Butler	59,484	65,880	6,396	10.8	7,817	5,501	4,080	6.9
Chase	3,030	2,790	-240	-7.9	321	353	-208	-6.9
Chautauqua	4,359	3,669	-690	-15.8	372	660	-402	-9.2
Cherokee	22,605	21,603	-1,002	-4.4	2,683	2,712	-973	-4.3
Cheyenne	3,165	2,726	-439	-13.9	235	426	-248	-7.8
Clark	2,390	2,215	-175	-7.3	249	304	-120	-5.0
Clay	8,822	8,535	-287	-3.3	1,013	1,103	-197	-2.2
Cloud	10,268	9,533	-735	-7.2	1,159	1,516	-378	-3.7
Coffey	8,865	8,601	-264	-3.0	980	1,080	-164	-1.8
Comanche	1,967	1,891	-76	-3.9	177	348	95	4.8
Cowley	36,291	36,311	20	0.1	4,719	4,215	-484	-1.3
Crawford	38,242	39,134	892	2.3	5,248	4,378	22	0.1
Decatur	3,472	2,961	-511	-14.7	234	519	-226	-6.5
Dickinson	19,344	19,754	410	2.1	2,277	2,303	436	2.3
Doniphan	8,249	7,945	-304	-3.7	828	796	-336	-4.1
Douglas	99,962	110,826	10,864	10.9	12,465	5,699	4,098	4.1
Edwards	3,449	3,037	-412	-11.9	406	414	-404	-11.7
Elk	3,261	2,882	-379	-11.6	336	488	-227	-7.0
Ellis	27,507	28,452	945	3.4	3,670	2,441	-284	-1.0
Ellsworth	6,525	6,497	-28	-0.4	527	834	279	4.3
Finney	40,523	36,776	-3,747	-9.2	7,776	1,948	-9,575	-23.6
Ford	32,458	33,848	1,390	4.3	6,662	2,464	-2,808	-8.7
Franklin	24,784	25,992	1,208	4.9	3,630	2,385	-37	-0.1
Geary	27,947	34,362	6,415	23.0	6,961	1,970	1,424	5.1
Gove	3,068	2,695	-373	-12.2	312	389	-296	-9.6
Graham	2,946	2,597	-349	-11.8	238	389	-198	-6.7
Grant	7,909	7,829	-80	-1.0	1,398	515	-963	-12.2
Gray	5,904	6,006	102	1.7	941	542	-297	-5.0
Greeley	1,534	1,247	-287	-18.7	155	161	-281	-18.3
Greenwood	7,673	6,689	-984	-12.8	757	1,118	-623	-8.1
Hamilton	2,670	2,690	20	0.7	446	297	-129	-4.8

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Harper	6,536	6,034	-502	-7.7	710	1,029	-183	-2.8
Harvey	32,869	34,684	1,815	5.5	4,409	3,570	976	3.0
Haskell	4,307	4,256	-51	-1.2	705	300	-456	-10.6
Hodgeman	2,085	1,916	-169	-8.1	216	240	-145	-7.0
Jackson	12,657	13,462	805	6.4	1,735	1,303	373	2.9
Jefferson	18,426	19,126	700	3.8	2,089	1,647	258	1.4
Jewell	3,791	3,077	-714	-18.8	245	475	-484	-12.8
Johnson	451,479	544,179	92,700	20.5	75,408	30,620	47,912	10.6
Kearny	4,531	3,977	-554	-12.2	655	362	-847	-18.7
Kingman	8,673	7,858	-815	-9.4	851	1,068	-598	-6.9
Kiowa	3,278	2,553	-725	-22.1	321	313	-733	-22.4
_abette	22,835	21,607	-1,228	-5.4	2,877	2,838	-1,267	-5.5
_ane	2,155	1,750	-405	-18.8	185	270	-320	-14.8
_eavenworth	68,691	76,227	7,536	11.0	9,392	5,321	3,465	5.0
_incoln	3,578	3,241	-337	-9.4	362	509	-190	-5.3
_inn	9,570	9,656	86	0.9	1,098	1,085	73	0.8
₋ogan	3,046	2,756	-290	-9.5	285	348	-227	- 7.5
_yon	35,935	33,690	-2,245	-6.2	5,181	2,856	-4,570	-12.7
McPherson	29,554	29,180	-374	-1.3	3,477	3,532	-319	-1.1
Marion	13,361	12,660	-701	-5.2	1,232	1,690	-243	-1.8
Marshall	10,965	10,117	-848	-7.7	1,192	1,355	-685	-6.2
Meade	4,631	4,575	-56	-1.2	592	476	-172	-3.7
Miami	28,351	32,787	4,436	15.6	3,972	2,516	2,980	10.5
Mitchell	6,932	6,373	-559	-8.1	656	957	-258	-3.7
Montgomery	36,254	35,471	-783	-2.2	4,783	4,662	-904	- 2.5
Morris	6,104	5,923	-181	-3.0	565	746	0	0.0
Morton	3,496	3,233	-263	-7.5	490	347	-406	-11.6
Nemaha	10,717	10,178	-539	-5.0	1,287	1,407	-419	-3.9
Neosho	16,997	16,512	-485	-2.9	2,144	1,999	-630	-3.7
Vess	3,454	3,107	-347	-10.0	297	477	-167	-4.8
Norton	5,953	5,671	-282	-4.7	502	688	-96	-1.6
Osage	16,712	16,295	-417	-2.5	1,865	1,834	-448	-2.7
Osborne	4,452	3,858	-594	-13.3	375	642	-327	- 7.3
Ottawa	6,163	6,091	-72	-1.2	683	747	-8	-0.1
Pawnee	7,233	6,973	-260	-3.6	673	809	-124	-1.7
Phillips	6,001	5,642	-359	-6.0	567	811	-115	-1.9
Pottawatomie	18,209	21,604	3,395	18.6	3,156	1,655	1,894	10.4
Pratt	9,647	9,656	9	0.1	1,188	1,181	2	0.0

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000 Population	April 1, 2010 Population	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
			Number	Percent	Births	Deaths*	Number	Percent
Rawlins	2,966	2,519	-447	-15.1	215	402	-260	-8.8
Reno	64,790	64,511	-279	-0.4	8,345	6,847	-1,777	-2.7
Republic	5,835	4,980	-855	-14.7	466	839	-482	-8.3
Rice	10,761	10,083	-678	-6.3	1,238	1,278	-638	-5.9
Riley	62,852	71,115	8,263	13.1	9,915	3,078	1,426	2.3
Rooks	5,685	5,181	-504	-8.9	619	696	-427	-7.5
Rush	3,551	3,307	-244	-6.9	337	511	-70	-2.0
Russell	7,370	6,970	-400	-5.4	756	1,026	-130	-1.8
Saline	53,597	55,606	2,009	3.7	7,978	5,132	-837	-1.6
Scott	5,120	4,936	-184	-3.6	674	547	-311	-6.1
Sedgwick	452,869	498,365	45,496	10.0	78,837	38,285	4,944	1.1
Seward	22,510	22,952	442	2.0	5,276	1,379	-3,455	-15.3
Shawnee	169,871	177,934	8,063	4.7	25,116	16,737	-316	-0.2
Sheridan	2,813	2,556	-257	-9.1	280	330	-207	-7.4
Sherman	6,760	6,010	-750	-11.1	756	730	-776	-11.5
Smith	4,536	3,853	-683	-15.1	326	663	-346	-7.6
Stafford	4,789	4,437	-352	-7.4	480	627	-205	-4.3
Stanton	2,406	2,235	-171	-7.1	374	187	-358	-14.9
Stevens	5,463	5,724	261	4.8	897	476	-160	-2.9
Sumner	25,946	24,132	-1,814	-7.0	3,088	2,724	-2,178	-8.4
Thomas	8,180	7,900	-280	-3.4	1,031	788	-523	-6.4
Trego	3,319	3,001	-318	-9.6	312	463	-167	-5.0
Wabaunsee	6,885	7,053	168	2.4	825	653	-4	-0.1
Wallace	1,749	1,485	-264	-15.1	150	188	-226	-12.9
Washington	6,483	5,799	-684	-10.6	612	883	-413	-6.4
Wichita	2,531	2,234	-297	-11.7	342	241	-398	-15.7
Wilson	10,332	9,409	-923	-8.9	1,228	1,368	-783	-7.6
Woodson	3,788	3,309	-479	-12.6	362	597	-244	-6.4
Wyandotte	157,882	157,505	-377	-0.2	28,330	14,312	-14,395	-9.1
Kansas	2,688,824	2,853,118	164,294	6.1	403,266	244,550	5,571	0.2

Source: U.S. Census Bureau, 2000 Census; 2010 Census; and CQR, http://www.census.gov/prod/cen2000/notes/cqr-ks.pdf (accessed May 9, 2006); Kansas Department of Health and Environment, *Annual Summary of Vital Statistics*, various issues.

^{*} Kansas total includes deaths not assigned to a county.

From: Annette & Jeff <annettejeff@kc.rr.com>

Sent: Saturday, June 29, 2019 7:16 PM

To: Joseph, Jeff; PZ

Subject:Kaw Valley Sand pit concernsAttachments:KS county population.pdf

To the Leavenworth County Planning and Zoning Commissioners:

Hello! My name is Annette Manion. I am an optometrist practicing in Prairie Village for the past 17 years. In 2017 my husband and I purchased 10 acres of land on 170th St. We want a rural, residential lifestyle. We want to escape our noisy, Johnson County neighborhood where our neighbor's house is 16 feet away. We did our homework before purchasing this land. It is in an area zoned rural, residential as per your

www.leavenworthcounty.gov/publications/cr1study.pdf from 2018 (on page 11). Additionally, 170th Street doesn't allow commercial vehicles. We have been very excited to begin building our home this summer until we heard the news of the multiple, noisy, large trucks that could be a possibility on our road. We want what Leavenworth County is selling: a rural, residential lifestyle. We are not the only ones who want that, as documented in the census data from 2000-2010. During that time frame, Leavenworth county grew 11% and 5% was from net migration.

Only 5 out of 105 counties in Kansas grew by 11% or more in that time period.

http://www.ipsr.ku.edu/ksdata/ksah/population/2pop14.pdf

The proposed Kaw Valley Sand Pit does NOT fit into a rural, residential lifestyle due to the noise and large, heavy trucks associated with it. A different manufacturing plant would fit here, something like a factory where people drive their cars to work and the noise is contained in the building. Or better yet, something that supports the rural, residential lifestyle like apartments, restaurants, and a grocery store. Even though it is a flood plain, I believe this area can be used to benefit the community like the golf course does. The proposed Kaw Valley sand pit would harm the land and the rural, residential lifestyle for decades.

I feel that when we bought our land in an area zoned rural residential, the local government was promising to support it as that: a rural, residential area. Please don't break that promise. The census confirms people want to live in Leavenworth County for the rural, residential lifestyle. We bought here for that reason.

Thank you for your time and consideration.

Annette S. Manion, O. D. annettejeff@kc.rr.com 913-422-5898

From: Joseph, Jeff

Sent:Monday, July 01, 2019 12:53 PMTo:Sloop, Stephanie; Voth, KrystalSubject:FW: Proposed Industrial Sand Pit

From: Jeannie Garies [mailto:jmgaries@gmail.com]

Sent: Sunday, June 30, 2019 9:10 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>

Subject: Proposed Industrial Sand Pit

Dear Jeff,

My name is Jeannie Garies and I live at 15115 Loring Road, Bonner Springs, KS 66012 in Leavenworth County. I want you to know how strongly I am opposed to this proposed industrial sand pit on 166th St. in our county. I move to Leavenworth County from Johnson County almost 20 years ago for the quiet, peaceful, rural community atmosphere. This sand pit will be a disaster to our quality of life!

- 1. Our roads now aren't maintained well enough to sustain the traffic we currently have. What will happen when 100 dump trucks weighing approximately 80,000 pounds are using them daily?
- 2. We have a lot of motorcycle and bicycle traffic as well as other special events that use our road. I'm very concerned about the safety of these individuals from the limited sight in the trucks and the sand and dust on the road.
- 3. The noise from the pumps, augers, conveyors, diesel engines, and truck traffic will be atrocious.
- 4. Our water tables are in this area. What will happen io our water if they start backfilling this pit with hazardous materials?
- 5. This sand will be hauled from 166th St. in Leavenworth County to a plant in Edwardsville in Wyandotte County. From my understanding the taxes are collected at point of sale. How does Leavenworth County benefit economically from this venture?

This industrial sand pit does not fit in our area at all and I want you to know about my concerns. I look forward to hearing your thoughts. Sincerely, Jeannie Garies

Jeannie Garies

15115 Loring Road, Bonner Springs, KS 66012

Cell: 816-560-8035

Email: jmgaries@gmail.com

"WE MAKE A LIVING BY WHAT WE GET. WE MAKE A LIFE BY WHAT WE GIVE." -Winston Churchill

GO NAVY BEAT ARMY!!!
Gus-Navy Swimming/Diving
5C '18

From: Joseph, Jeff

Sent: Monday, July 01, 2019 12:46 PM **To:** Sloop, Stephanie; Voth, Krystal

Subject: FW: SAND PIT

From: David Peck [mailto:dpeck2100@gmail.com]

Sent: Monday, July 01, 2019 10:55 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>; Judy Peck <jpeck901@gmail.com>

Subject: SAND PIT

Mr. Joseph,

My wife and I are members of Burning Tree golf club. The proposed sand pit will ruin the golf experience and destroy that section of Leavenworth County. We request this proposal be denied. Thanks for considering our concerns.

__

David Peck

14439 Woodend Rd (within Leavenworth, County) Bonner Springs, KS 66012

RE: Sand Pit Proposed on 166th near Desoto

Dear Commissioner Kaaz,

I urge you to take a detailed examination of the proposed sand mine currently under consideration by the Planning Commission. It is difficult to find a way to reconcile the stated goal of County Government to improve the lives of all citizens in a rural environment with the industrial nature of the proposal. Should this project reach your agenda for consideration – please vote to reject it. I offer the following reasons (among many others):

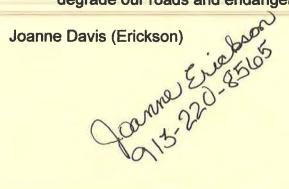
- 1. The Kaw Valley Materials technical reports on traffic and noise have changed substantially since originally submitted, and have not had sufficient time for a thorough review by county staff, residents or technical experts.
- 2. The truck traffic generated will at least double the number of heavy trucks on K32, significantly impacting all drivers on or crossing K32.
- 3. The truck traffic will conflict with times children are waiting for, dropped off from or traveling on their school buses....a minimum of four hours per day.

There is no enforcement mechanism or penalties to address in any meaningful way the following (among many others):

- a) Keeping truck traffic on the designated routes.
- b) Keeping noise levels within the approved limits.
- c) Keeping hours of operations for mining and trucking within the agreed periods.
- d) Fulfilling a restoration plan for the site.

I cannot find any benefit to the county from this project

- There is little (and possibly no net) tax benefit.
- There are no new jobs.
- It appears the "per ton" royalty the county is planning on collecting has been reduced from 5000 tons per day to 2000 tons per day, making this effort even less attractive
- Unapproved use of county roads by independent contractors will further degrade our roads and endanger all our residents and children



From: Vicki McCarty <v.mccarty@hotmail.com>

Sent: Friday, July 05, 2019 6:54 AM

To: Voth, Krystal

Subject: Sand Pit/ Southern Leavenworth County

Good morning Ms. Voth

I would like to express my thoughts and feelings on the subject of the Sand Pit permit that is pending for the Southern tip of Leavenworth County residents.

I am sure you've been flooded with emails, some filled with angry words and many reasons as to why we are opposed to this project.

I don't have angry words and my reasons are probably the same as others who have written to you. Concerns about pollution, noise, traffic. I agree with all of those.

We've been here 18 years now, working hard on our home and finally getting it where we are happy. New white fencing for our 10 horses, remodeling has been done and a new kitchen in the near future. I work in Overland Park and coming home to my peaceful country setting is about all that I have to keep me sane sometimes.

So to drive with up to 200 trucks clogging the road by the railroad tracks, the constant noise we would hear on this hill would not be my safe and quiet place to be. There is a half mile of trees between us and the railroad track. Trees are only in leaf six months a year plus the fact the sound carries up the hill and sounds like trains in our pasture many times. Trees do not stop noise. I moved here with the train noise and accept it. I find it hard to accept the sand pit noise.

I also hate to see a thriving business end up closed down due to this project. The golf course tree line suggestion will not work to keep noise and pollution out, besides the fact it will take many years for the trees to mature. People play golf to relax in nature. There will be no relaxing there with an industrial site in full working order next to it.

But the main concern I have is the truck traffic and the safety. My husband was a terminal manager for a trucking company for years. He knows that contract drivers paid by the load are going to take the quickest route in and out of our area. None of the roads are able to tolerate this stress plus the school buses, the wildlife crossing the roads, the charity runs and biking events along these country roads would all be endangered

There are many reasons that I know you have heard over and over so I will not repeat them. I just simply ask that this project is not forced upon this quiet residential rural neighborhood, knowing it will destroy the quality of life for both wildlife and people alike

Thank you for your time

Vicki McCarty

12490 166th St Leavenworth KS 66052 816-210-9215

From: Jessica Martell <martelljm@gmail.com>
Sent: Thursday, July 04, 2019 10:12 AM

To: Joseph, Jeff; PZ **Subject:** Industrial Sand Pit

JMJ

Dear Mr. Jeff Joseph,

I live in southern Leavenworth County. Please prevent the proposed industrial sand pit. It will drive our property values down, cause the roads to be unsafe for my children to bicycle on and fill the peaceful air with industrial noise and filth. I look forward to hearing back from you. Thank you!

Sincerely, Mrs. Jessica Martell 14725 Kreider Rd. Bonner Springs, Ks 66012

"O Heart of Love, I place all my trust in Thee: for though I fear all things from my weakness, I hope all things from Thy Mercy..."

From: Vicki McCarty <v.mccarty@hotmail.com>

Sent: Friday, July 05, 2019 6:54 AM

To: Voth, Krystal

Subject: Sand Pit/ Southern Leavenworth County

Good morning Ms. Voth

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I am sure you've been flooded with emails, some filled with angry words and many reasons as to why we are opposed to this project.

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So to drive with up to 200 trucks clogging the road by the railroad tracks, the constant noise we would hear on this hill would not be my safe and quiet place to be. There is a half mile of trees between us and the railroad track. Trees are only in leaf six months a year plus the fact the sound carries up the hill and sounds like trains in our pasture many times. Trees do not stop noise. I moved here with the train noise and accept it. I find it hard to accept the sand pit noise.

I also hate to see a thriving business end up closed down due to this project. The golf course tree line suggestion will not work to keep noise and pollution out, besides the fact it will take many years for the trees to mature. People play golf to relax in nature. There will be no relaxing there with an industrial site in full working order next to it.

But the main concern I have is the truck traffic and the safety. My husband was a terminal manager for a trucking company for years. He knows that contract drivers paid by the load are going to take the quickest route in and out of our area. None of the roads are able to tolerate this stress plus the school buses, the wildlife crossing the roads, the charity runs and biking events along these country roads would all be endangered

There are many reasons that I know you have heard over and over so I will not repeat them. I just simply ask that this project is not forced upon this quiet residential rural neighborhood, knowing it will destroy the quality of life for both wildlife and people alike

Thank you for your time

Vicki McCarty

12490 166th St Leavenworth KS 66052 816-210-9215

From:

southcounty < southcounty@aol.com>

Sent:

Friday, June 28, 2019 2:47 PM

To: Subject: tingram@cfse.com; Joseph, Jeff; Voth, Krystal Lenape Sand Pit - Real Time Study with Residents

Attachments:

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1560202369008.jpg; FB_IMG_1560202494973.jpg; FB_IMG_1560202476248.jpg

Subject: Lenape Sand Pit

I am reviewing the documents CFSE prepared for the Kaw Valley sand pit study.

Very sadly missing is any input from the residents of SE Leavenworth County.... those very residents, their children and grandchildren would will have to live with... the noise, dust and dirt, heavily loaded sand truck, lowered property values and a negatively affected quality of life....

for over 25 years and more....actually,

the atmosphere of the area will be forever changed.

Not one adherence to the Kansas Supreme Court ordered Golden Rules that the Leavenworth County PZ has on their web page and operational guidelines.

Kaw Valley has clearly stated they plan on buying up as much land as possible.

Why were none of the residents invited on the on-site studies?

Were any officials of Burning Tree contacted?

Why does the City of DeSoto have more input than the affected residents?

Why were there conversations with the Board of County Commissioners and not the residents?

An electric hydraulic pump still makes audible and vibrational noises.

Any piece of equipment causes distress to wildlife and humans.

24 hour operations and noise and lights? Who could possibly published that they planned to affect a area like that?

What oversite was suggested? How would it be enforced. What about the vandalism issue that was originally mentioned? This is an attractive nuisance to area "joyriders" that Kaw Valley was concerned about.

The PZ misson statement refers to keeping the rural atmosphere in our county. Sand Pit operations do not contribute to this mission statement.

We can provide numerous visual information studies regarding the traffic in the sand pit area if you wish. Impact fees will in no way address them.

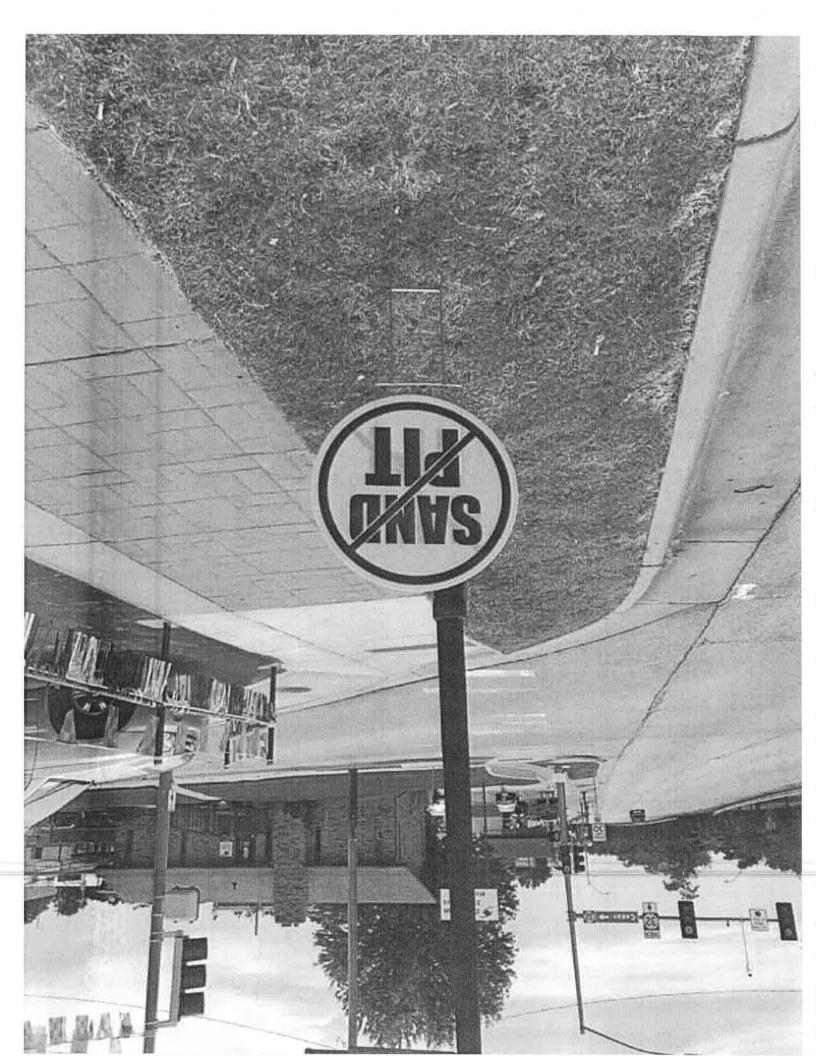
The two additional lanes at the entrance to the pit will only make the drag racing in the area more dangerous and deadly.

We can provide a complete study, not a slanted study to anyone you wish.

Good Afternoon, Anne Erickson SE Leavenworth County Resident 913 220 8565

I have studied this issue extensively if you need real time additional information.

We, additionally, require a public health impact study. The few words saying there are no known health issues is not true. There are numerous studies on how a sand pit operations and the associated issues contribute to a decreased quality of life and long term and permanent detrimental health consequences.



KEEP OUT

DEEP EXCAVATION RISK OF DROWNING RISK OF FALLING





From:

Jeanette Klamm < jrklamm@yahoo.com>

Sent:

Wednesday, June 12, 2019 5:48 PM

To:

PΖ

Subject:

Sand pit

Dear Planning and Zoning Commission members,

It is becoming critical that Leavenworth County find a means of promoting itself for industry and business. Without the tax base from these entities, this county will continue on the path of being a bedroom community and fall behind our neighboring counties. We have successfully deterred Tyson and now the NIMBYs are after the proposed sand pit, which sends the clear message that Leavenworth County is anti-business. Roof tops alone do not provide for a tax base that is adorable.

Although I understand the neighboring property owners not wanting the sand pit "in their backyard", the concerns that they continue to spread are ridiculous and untrue with their only purpose to gain support and spread fear. For example, the number of trucks they have been quoting have multiplied from 20 to 200 to the latest figure of 400 per day. This isn't even possible.

Therefore I am requesting a sincere look at the potential message that you may send to industries that may be considering moving to this county. And ultimately choose to approve this proposed permit application for the future of the entire county.

Thanks for your time. Jeanette Klamm

Sent from Yahoo Mail on Android

From:

Jason Hinkle <jhinkle@lenexa.com>

Sent:

Saturday, June 15, 2019 10:49 AM

To:

Joseph, Jeff

Cc:

Loughry, Mark; PZ; Loughry, Mark

Subject:

Kaw Valley Sand Pit

Mr. Joseph,

We are adamantly opposed to the proposed Kaw Valley Sand Pit in Southern Leavenworth County. While I grew up in the DeSoto School District it was my desire to move to the country to raise our family. We have now lived in Leavenworth County for almost 20 years.

I have extensive concerns about the proposed truck routes on our county roads. The amount and type of traffic pose a significant safety risk for the motoring public. The excessive light and noise pollution alone would turn our tranquil country living upside down. We also have environmental concerns about the impact to air quality, water pollution, and how this will distress wildlife. This will all most certainly devalue homes on both sides of the river. The residents of DeSoto certainly aren't thrilled about this project either.

We currently live less than three miles from the proposed location. There is little to no benefit to our county to allow this sand pit to be in operation. This does not promote public health, safety or welfare for our citizens. I would ask that you confirm receipt of this email and forward my opinions to the Planning Commission as well as the Board of County Commissioners.

Respectfully,

Jason Hinkle 17000 Morning Deer RD Linwood, KS 66052

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From:

Grisell,Liz <Liz.Grisell@Cerner.com>

Sent: To: Tuesday, June 25, 2019 2:19 PM

Subject:

Kaw Valley Sand Pit Proposal Concerns

Joseph, Jeff; Loughry, Mark; PZ; Loughry, Mark

To Whom it May Concern -

My husband and I are unable to attend the meeting this evening and wanted to ensure our voice was heard. We are extremely opposed to the Kaw Valley Sand Pit proposal in Southern Leavenworth County. We live on Morning Deer Road where it intersects with 170th street. We moved out to Leavenworth County about 6 years ago to get out of the city/traffic/noise and enjoy the peace and quiet. The initial concern with the sand pit is the noise factor. Our current tranquil living will be completely changed with this project. We have invested a lot into our home and want to do everything we can to keep this same living style.

We also have huge concerns about the proposed truck routes on our county roads. The increased volume and type of traffic pose a significant safety risk for the public who heavily use these roads daily, like us. The excessive light and noise pollution would make things very unpleasant for us. We also have environmental concerns about the impact to air quality, water pollution, and how this will affect the wildlife. We are also concerned about our homes being de-valued. We have invested a lot in our home/property/land/livestock and want to ensure we keep things how they are to no upset this serene living.

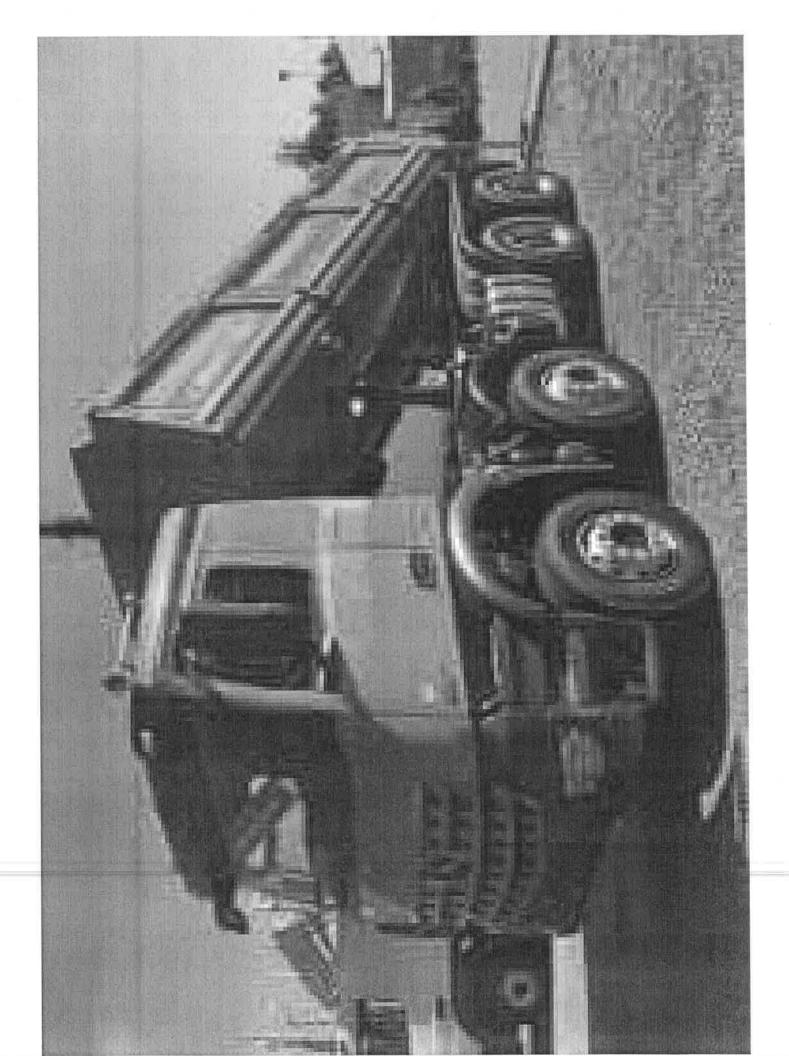
Our home is located less than three miles from the proposed location of the pit and ask that these concerns be heard. There is little to no benefit to our county to allow this sand pit to be in operation. This does not promote public health, safety or welfare for our residents/citizens. I would ask that you please acknowledge receipt of this email and forward on our concerns to the Planning Commission as well as the Board of County Commissioners.

Sincerely,

Very concerned residents,

Liz & Mike Grisell 17043 Morning Deer Rd. Linwood, KS 66052

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June 28, 2019

Leavenworth County Planning and Zoning Department Attn: Jeff Joseph, Director 300 Walnut Street, Ste 030 Leavenworth, KS 66048

Subject: Proposed Special Use Permit for Kaw Valley Lenape Sand Quarry (DEV-19-008)

Mr. Joseph:

As a quick introduction, I am Rachel Clyne, City Planner for the City of Bonner Springs, Kansas. The City requests open communication with your department regarding the proposed sand quarry project, the land use application process, and the effects of the Lenape Sand Quarry SUP approval to our community.

In the spirit of regional cooperation, staff would like to participate in the coordination of the truck route as the significant increase in heavy truck traffic will impact the City of Bonner Springs and School District USD 204. The coordination efforts amongst staff can ensure the traffic route to and from the quarry and the processing plant is adequately designed to allow for safe and efficient travel.

Safety is a considerable concern of the City and School District (USD 204) as the Middle and High Schools are located adjacent to Kaw Drive (K-32). The Bonner Springs Elementary School is located two (2) blocks south of K-32, which strengthens the obligation to consider the safety of children on crosswalks. Additionally, the School's bus routes, both morning and afternoon, are likely to be affected as the sand trucks are to begin traveling shortly after 7:00 a.m., throughout the day, and returning during the 3 o'clock hour.

Please contact me to establish a time to discuss the SUP project prior to the Planning Commission meeting on July 10th. With the exception of the next week's holiday, my schedule is fairly flexible. I look forward to speaking with you or your staff soon.

Respectfully,

Rachel Clyne City Planner

Community & Economic Development

913-667-1708

rclyne@bonnersprings.org

From:

Mary Lombardo < marylombardo 14@gmail.com>

Sent:

Wednesday, June 26, 2019 9:49 AM

To:

Joseph, Jeff; PZ

Subject:

Golden List for SUP of Lenape Sand Quarry

To the Zoning Commissioner and Planning and Zoning, Is there any documentation that you can share with the public showing consideration for the 8 factors of the Golden list in reference to the SUP for Lenape Sand Quarry? Written or video?

The first 8 factors above are part of the famous "Golden Case" and were cited by the court as the minimum issues that a governing body should examine when considering a rezoning of property. A Special Use Permit grants specific changes to the zoning for a property and therefore must consider the same issues. The staff report should provide information on these issues, but their findings should be referenced by the Commission in motions and discussion. Improper consideration of or lack of reference to these factors will most likely result in a court overturning the decisions of the Board or Commission if challenged.

Thank you for your time, Sincerely,
Mary E Lombardo
913-205-8984

Deposite jobs as well as a necessary good. Sand is used to produce concrete and asphalt. Sand is als used to mitigate flooding. The operations at the site will result in an increase of the second to be and welfare are unlikely to be a second to be and welfare are unlikely to be a second to through road improvements and impact fees.

Industrial mining of sand is a common use in floodplain areas along rivers. The current zoning of the 7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Floodplai

TINDERY LIVING TRUST 16104 Golden Road Linwood, Ks 46052

County of LEAVEHWOITH State of Kansas LEAUENWORTH County PlANNING COMMISSION LEAUEN NORTH COUNTY COMMISSIONERS

Sirs: WE ARE WRITING YOU IN REGARD to the PERMIT (DEV-19-008) Sought by KAW VAILEY COMPANIES,
THE. - LEMADE SAND QUARRY FOR OPEN PIT INIMING
Of SAND, PARCEL ID & 235-22-0-00-004.00.

have lived in this home since 1957. When we moved here it was remote and private. There was not A bridge over the Kno River, And All Roads in the AREH WERE dirt ROADS. SINCE then, the bridge lending off 166th Street to DESO to was built, and our property was cut in two to build Golden Road And 158th Street which today is a virtual race TRACK At times, A NARROW WINDING ROAD WITH NO Shoulders. WE feel the Addition of 200 plus heavy trucks making round trips per day would damage our ROADS AS WELL PAS CHUSE CONSIDERABLE ACCIDENTS, ESPECIALLY ON the present bridges And intersections, which ARE drangerous at present,

As a past school bus drivER, WE GREATLY WORRY About the Students getting on and off the busies

Along the proposed Router !

WE have adjusted to All the changes since 1957, but feel it would be hard to recept the dust, Moise, danger AND desecration of the Lord's RARTH proposed in this permit under consideration.

If you Board members ARE Not familiar with this site, we urge you to visit it - A bEAUTIFUL, tranquil part of LEAVENWORTH County, WE ASK you to deny this permit. LEAVENWORTH County couldn't possibly make Enough income from this Enterprise to make up the dangers and havor this would cause. Thank you for your consideration, Tenneth R. Jinley

KENNETH R. Timberg - Patricia on Linkery Patricia M. Timberg - Patricia on Linkery

From:

Tinberg Farms LLC <tinbergfarmsllc@hotmail.com>

Sent:

Sunday, June 09, 2019 9:00 PM

To:

Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; Smith, Doug; Stieben, Mike; PZ; Loughry,

Mark; Kaaz, Vicky; Schimke, Chad; Loughry, Mark

Subject:

Special Use Permit - Kaw Valley Company - Lenape Quarry

Attachments:

AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

To Planning & Zoning Board Members and Commissioners,

My name is Mark Tinberg. I reside at 16904 Kreider Road, Bonner Springs, KS. I've been a lifelong resident of Sherman Township in southern Leavenworth County.

My parents reside at 16104 Golden Road, which is on the north side of Golden along the proposed Kaw Valley Company truck route. They have lived at this location for 62 years. In those 62 years, they have witnessed many accidents including fatalities on the narrow, winding, deep ditches and steep road banks with NO shoulders all the way to K32 highway. Golden Road and 158th street were not designed nor is the structure built to handle the load and frequency that would be imposed on it. The bridges that are now in place are rated at 15 tons or less. These trucks will be weighing 40 tons plus. Are you planning to stick the tax payer with the burden to upgrade the roads and bridges so that big business can profit at our expense? At 158th & K32, there are frequent accidents which have included fatalities. This intersection has limited sight both east and west bounds making it a dangerous intersection for passenger vehicles, let alone adding the extra traffic of heavy loaded sand trucks.

I've driven heavy trucks for 40 + years including an 18 wheeler which I transport grain with to Kansas City. There is absolutely no way to turn North on 166th from Lenape Road or East on Golden Road from 166th without swinging wide into the oncoming lane in order to keep the trailer wheels on the road.

I have been a farmer my whole adult life, farming the ground on three sides of this proposed pit. My parents, my wife and I own the ground on the west side, we lease the ground on the east side. In the 42 years that I've been farming full time, I have lost lease on a total of 625 acres due to sand pit mining, industry and housing development. This is an epidemic and going to become a real problem for our country and the world. Farmers feed the whole world and without the land it can't be done. See attached document for more information. I farmed beside a sand pit for several years and have seen the operation first hand. It totally destroys the land and its gone forever. No matter how hard they try to control the dust it will blow. OSHA has acknowledged how hazardous silica dust is for humans. This is concern for the residents that live close to the project. We will have to endure breathing silica dust for the next 20+ years. See attached document.

There is no rural water system near this proposed pit. The homeowners are on private wells and are concerned about the water quality. Kaw Valley will be dredging into our water table and giving contaminates direct access.

I've read your mission statement. If you approve this permit, you will be going against your very mission. This project is not only going to affect the people around it but everyone along the route.

Before you vote on this, I'm asking you to personally view this site, drive the route (in a big truck if possible) and go look at some of the sand pits in the area. It's only fair to ask this of you since you are representing the people of this county. This project will impact us the rest of our lives. Take a minute and put yourselves in our shoes, would you want this in your front yard?

Thank you for your time.

Mark Tinberg

Sent from Mail for Windows 10

From: Tracy Tinberg <tracytinberg@hotmail.com>

Sent: Sunday, June 09, 2019 7:44 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; PZ; Loughry, Mark; Smith, Doug; Stieben,

Mike; Kaaz, Vicky; Schimke, Chad; Loughry, Mark; culbertson@leavenworthcounty.org

Subject: FW: Special Use Permit (DEV-19-008) - Kaw Valley Company

Attachments: silicia dust 1.pdf; AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

Dear Planning and Zone Board Members and Commissioners,

As you are fully aware, the SE Leavenworth community is concerned about having a sand quarry operation in this part of Leavenworth County.

My husband and I farm for a living. We farm on three sides of this proposed project, two of which we own and we lease the third property. Yes, this ground does have pockets of sand which is desirable by many companies. However, my question to you is at what cost do you allow greed to take away the much required and need commodity of FOOD....NO FARMLANDS = NO FOOD. Below are a few quotes from American Farmland Trusts report Farms Under Threat, The State of America's Farmland, dated May 9, 2018. Reports & Articles are attached for you reading pleasure.

- "America today is losing agricultural land at an alarming rate 175 acres every hour, 1.5 million acres every year." See attached links for reports and articles.
- "In the next 15 years, 1/3 of America's farmland and ranchland will likely change hands, as current landowners age and sell. Land is most at risk of being converted to a non-agricultural use when it is sold."
- "We need farmland to grow our food and the demand for food will only grow. Experts predict that we will need to increase food production by 60% by the 2050".
- "The future demands that we do all we can to 1. Protect farmland, 2. Promote sound farming practices, and 3. Keep farmers on the land."

Leavenworth County has highly fertile river bottom and creek bottom land. Leavenworth County is known as an agricultural county and should be extremely proud of that fact. In the Planning & Zonings own mission statement states ".....exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare. Our first and foremost desire is to work with our citizens in a way that meets their aims, goals, and ambitions. Through your elected officials, you shape the regulatory environment and our land use patterns and habits. The function of Planning and Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision of Regulations and the policies set forth in the Comprehensive Plan." From what I can determine, the sand quarry is not a fit for SE Leavenworth County.

As for the safety concerns, these chip and seal county roads have no shoulders, deep ditches, and are at most 2-3" thick. These "designated" truck routes will crumble rapidly with the constant abuse of up to 200 loaded trucks per day weighing 80,000 lbs, plus the returning empty trucks. Sure the county will get an annual road impact fee and a few bridges fixed finally but that's what our tax dollars are supposed to be doing but the county can't even maintain the roads with daily passenger vehicles, buses and the occasional wayward truck. Who's going to do the maintenance?

Speaking of maintenance, according to the DOT during the past 24 months Kaw Valley Companies has 31 violations, which 29 is truck maintenance violations which includes no or defective parking brake system, brake connections with leaks or constrictions, inadequate brakes for safe stopping, brakes out of adjustment, steering system components, inoperative turn signal, universal joint loose/broken or missing component. Do you really want this company driving on the same road as our precious cargo, our families and friends?

Additionally, what about the hazards of silicia dust? OSHA has a full report on the health hazards. Also attached for your evening reading.

As for jobs, what are these supposed jobs going to be? The proposal states there will only be 5 employees at the Lenape quarry site. Kaw Valley also states that the trucks will begin and end each day at the Edwardsville location. According to DOT records, they currently list 25 trucks for their entire construction operation, which is not small. If they do hire a few additional drivers, there is no guarantee that they will be Leavenworth county residents. Since, the commodity is being transferred to Wyandotte county is Leavenworth County going to receive any sales tax dollars?

Allowing this project to move forward will not only ruin the land forever. The county and residents will not truly benefit long term for generations to come. Sure the county will receive some money for road impact but that's about it. What do the resident's in the SE part of the county receive......we get the added traffic hazards, health hazards, noise and potential water contamination since many along the bluff are on private wells. Oh, lets not forget that the landowner (which lives in Minnesota) will receive a lake at the expense of the other residents. This greedy project is not a fit for SE Leavenworth county.

According to the press release for The Comprehensive Plan, its goal and I quote "is to ensure Leavenworth County can continue to grow in a sustainable way that both fulfills the needs of it residents and preserve s the integrity of its rural areas. The county hopes the plan will address issues that have emerged concerning infrastructure, land use and urban growth with the increasing development along highway corridors.

Again, how does this sand quarry truly fit with the comprehensive plan? It doesn't!

Respectfully, Tracy Tinberg 16904 Kreider Road Bonner Springs, KS 66012

Sent from Mail for Windows 10

From:

Thomas Schram <thomasschram28@gmail.com>

Sent:

Wednesday, June 12, 2019 11:23 AM

To:

PΖ

Subject:

Sand pit

Dear members of lv planning and zoning, as so very many of us affected by this decision are also suffering serious damage from the tornado I would plead wit you to reschedule the meeting to a week or two farther and give us a chance to recover, many affected can't even live in their homes currently.

Thank you

Thomas Schram

From:

Steven henness <hennesss@yahoo.com>

Sent:

Wednesday, June 12, 2019 8:17 AM

To:

PΖ

Subject:

Delay of Hearing for the Proposed Sand Quarry

I support the request for delay of the hearing for the proposed sand quarry near the Burning Tree Golf Club at 166th St and the Kansas River.

Thanks, Steve

Steven Henness 20108 Golden Rd. Linwood, KS 66052

From:

southcounty < southcounty@aol.com>

Sent:

Monday, June 10, 2019 7:13 PM

To:

Joseph, Jeff

Cc: Subject: Voth, Krystal Request to delay sandpit hearing

To: jjoseph@leavenworthcounty.org

Subject: Request to delay sandpit hearing

Please forward this email to the Planning Commissioners.

As you know, our part of the Leavenworth county-Bonner Springs and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Most of us had direct damage done to our property due to wind, water and debris. Besides protecting life and searching for and helping victims, our community members had to quickly act to stop further damage to their homes, and remove trees and debris just to move safely around homes and garages. Finding help and clearing was even more difficult if disabled.

Electricity and cell coverage was out and lasted for days for many of us.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives--farming, going to work and school and taking care of our families.

It will take many months to get back to normal around here.

We have not had the time to do the research and give proper thought to the proposed Sand Pit proposal.

I am asking that the hearing on the Kaw Valley Sandpit originally scheduled for June 12th be delayed.

Thank you, Joanne Erickson Bonner Springs Kansas 66012 913 220 8565

From: Joseph, Jeff

Sent:Monday, June 10, 2019 7:42 AMTo:Voth, Krystal; Sloop, StephanieSubject:FW: Kaw Valley Lenape Sand Quarry

From: Maureen Ross [mailto:mamaross7@gmail.com]

Sent: Friday, June 07, 2019 11:38 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Kaw Valley Lenape Sand Quarry

Mr. Joseph,

We understand by sending you this email you will forward it to the Planning Commissioners, thank you for this.

We first ask that you consider postponing the voting of the Kaw Valley Lenape Sand Quarry from June 12th to a later date. The devastation that this area received on May 28th form the EF4 tornado has left us with little time to think of anything else. We are cleaning up our homes, helping each other and trying to put our lives back together. In all of this mess we still have jobs, families to raise, obligations. We need more time.

We are land owners within a mile of the projected quarry site. We have many concerns we would like to share. We are unable to attend the June 12th meeting but would like for our points to be heard and considered.

We purchased our 35 acres, 33 years ago knowing that growth and change would eventually come to this area. We both grew up in the DeSoto, KS area. This however, is not the kind of change we feel will promote positive growth in Southern LV County.

We have raised 4 children who attended Linwood Elementary, BLMS and BLHS. Our district and community are a wonderful, quiet area to raise a family. Bringing a business with this magnitude, volume of heavy truck traffic, noise and destroying the farmland and leaving it unsightly will not benefit our community. Our roads were not built wide enough to handle daily travel of heavy trucks in mass quantity. We have no shoulders, our bridges will not withstand the weight and I will add the RR crossing is terrible now, it will be torn up within months with that kind of stress. The number of residential driveways on these county roads should be taken into consideration.

County Rd 1 has many curves and blind hills. Adding heavy trucks running loaded or empty to a major bus route is an accident waiting to happen. These trucks do not have the ability to stop quickly. All of the county roads that could be possibly used are residential, heavily traveled by families, young drivers and school buses. Not to mention farm equipment and bicyclist.

The intersection of CO RD 1 and 32 is very dangerous, it also has a blind hill. It is sad to say but we hold our breath each school year hoping no one is killed heading to Basehor. Adding 200 trucks traveling one way daily at this intersection will be a nightmare.

Has anyone spoken to Sherman Township Fire and Rescue on their concerns of the impact this will have on our community?

We drove by the Kaw Valley Sand Plant in Edwardsville today. We understand the operation in our area will be completely different but the trucks traveling the roads will be the same. This plant has the ease of 435 hwy being only a few miles away.

Holiday Sand on 7 hwy bothers on one. The trucks are able to jump on 7 and not be on residential roads. The proposed location has neither of these convenient options. All we have are county roads with multiple driveways and residential traffic.

You know as well as we do, just because a company gives their drivers the designated route to use from point A to point B, that if a driver or 200 drivers find a better route, less hilly, less curvy they will use it, like 170th street.

When Kaw Valley is finished with this piece of property in 40 years, what will be left? Will they fill the 40' hole with construction material? Or will it be left a huge hole to fill with rain water, be a mosquito pit and stink? Will they continue to move on west down Golden Rd and tear up more land? Once this Iron Horse is approved it will be unstoppable.

We understand some folks think this a great economy booster. HOW? Will it bring 50-100 jobs to our area? We think not. Kaw Valley will use their own Wyandotte CO employees. This is not an employment opportunity. Will it have sales for the public to increase LV CO income/taxes? NO....the public will not be using this. So, why have it??

We ask you to please consider the lives, homes, community that you will be drastically damaging and changing by allowing a company of this destruction to move in to our backyards. We are not against change, it is inevitable, but this is not the kind of change that will make Southern LV County thrive. It will have the opposite effect. Our home values will go down, safety on our roads will be jeopardized. Who wants to drive by this daily to travel to their new homes? No one!!

There are so many reasons against this and NONE for it.

Please put yourselves in the shoes of those that live here, you have the power to stop this. We genuinely ask you to ask yourselves these few questions:

Would you want this across the street from your home?
Would you want it within a few miles of your home?
Would you want to be able to hear it, see the lights, have the dust?
Would you want your children/ grandchildren riding on buses with this kind of heavy traffic?
Would you want to travel by a sand plant on your daily commute?

If you answered NO to as least one of these questions please put a stop to this.

None of us bought our land, purchased/built our homes, gave our lives and dreams with a sand plant down the road. Don't bring it to us!! You are changing OUR lives!!

Our farming community is a wonderful place that LV CO can be proud of. Many Johnson County residents find our area appealing. They look to purchase homes here and raise their families. We were one of them 33 years ago.

Why would you even consider a change such as this???

Please put a STOP to this disaster!!!!

Thank you for your time.

Sincerely, Matt and Maureen Ross 12927 170th Street Linwood, KS 66052 816-835-1296 June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lenape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, asphalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

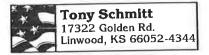
Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

anthy W. Schrift 816-807-2076 Stacey A. Schnitt 913-954-7586

We want answers please,

Anthony W. Schmitt\Stacey A. Schmitt



Commissioner Vicky Kaaz

I'm writing about the Lenade Sand Quarry Special Use Permit. The roads in this area have signs stating "COMMERCIAL VEHICLES EXCLUDED Res No 2009-50". This is your regulation and I hope you stand firm on your original resolution about these roads. I realize the suggested route is Golden Road to K32 but truck drivers will take the easiest and cheapest way possible to get to their destination. I have a picture from 6-3-2019 I took in front of my driveway on Loring Rd. The "COMMERCIAL VEHICLES EXCLUDED" signs are on both ends of this/my road but they don't care and obviously do the easiest route. These huge trucks are on our roads ALL DAY LONG! Furthermore, there are 3 school districts with school buses full of children that would be impacted on these roads that have no shoulders. The magnitude of this project would create tremendous safety hazards. Our chip and seal roads can NOT support this much commercial traffic. The sand trucks are estimated at 25+ tons and our bridges are only rated at 15 tons. How can they hold up to that much commercial use?

Please, Please do the right thing and listen to your citizens and vote NO on the Lenape Sand Quarry Special Use Permit.

Please and Thank you,

Scott and Andrea Summer 15251 Loring Rd. Bonner Springs, KS. 66012

From:

Sloop, Stephanie

Sent:

Wednesday, June 12, 2019 3:42 PM

To:

Voth, Krystal

Subject:

Sand Plant Voicemail

Ms. Beau Ryva,

Left a voicemail expressing that she wanted all of the Commissioners to know that she is very against the Sand Plant coming in and she feels like there is misinformation on facebook about the use. She had several concerns Kaw Valley and the impact. She would like to put her vote in as no.

Stephanie Sloop

Public Relations and Planning Coordinator Planning and Zoning Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth. KS 66048 (913) 684-0465 ph

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:37 PM

To:

Voth, Krystal

Subject:

Sand Plant

I received a call from Mr. Terry Sipp who stated he would like the meeting for the Sand Plant to be postponed due to the natural disaster.

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

Voth, Krystal

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:38 PM

To:

Voth, Krystal

Subject:

Sand Plant

Mr. Jeff Hayes in the County stated he would also like the meeting for the Sand Plant to be postponed due to the tornado down in the Linwood area.

Thank you,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

Voth, Krystal

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 8:58 AM

To:

Voth, Krystal

Subject:

Kaw Valley Sand Plant

Krystal,

I just received a call from Ms. Tammy Hane stating she would like to have the meeting postponed for the sand plant in southeast Leavenworth County due to the fact that so many down in that area have been impacted by the tornado.

I told her I would email and let you know.

Thanks,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

Dear Commissioner:

I am writing this letter because of our concerns on the proposed Special Use Permit for the Lenape Sand Quarry on the Leavenworth County site near DeSoto. There are many concerns as well as a threat to the way of life in this area. This community has grown as residence are trying to escape the busyness and traffic of the city.

The biggest affect for us personally is the route of the large trucks to and from the sand plant. We understand that County Road No. 2 (158th St.) is being considered as a route to and from the sand pit. This would entail 240-360 truck passes per day, weighing between 25-30 tons during the 12-hour day the plant would be in operation. 158th is a road with lack of site, due to hills and curves; and no shoulder on either side. Truck prohibited signs and speed limits are not enforced on 158th St., South of K32.

Who does this effect daily besides the taxpayers?

The children getting on and off of school buses & the drivers- prior to additional proposed trucks being added to the traffic, the buses already are stopping in the middle of the two lane road in order to protect children from people going around the bus and to ensure oncoming cars are aware they should be stopping, in particular due to the curves and blind hills

Delivery drivers — Postal workers, UPS, Amazon, Sanitary workers just to name the few I have seen in the last week. Since there are no shoulders for these workers to pull onto, they are parked on the road in order to fulfill their responsibilities.

Residence picking up their mail and caring for their road frontage. We have had people hit just in the last year simply trying to get their mail. I can't tell you how scary it is trying to care for your road frontage on a blind hill with a ditch along side of the road, with cars, much less large trucks flying by you, not even sure if they see you. If we do not care for our road frontage, we have limited visual to see traffic when departing from our driveway.

Other drivers on the road – as we followed a large truck through the hills and curves of 158th St last weekend, I can show the video of the truck constantly bumping and going over the yellow line as these roads were not made for large trucks, much less trying to pass each other and other traffic.

Traffic flow to K-10 through Desoto and to K32- This volume of truck traffic on 166th crossing into Desoto to access Johnson County will cause great delays with the current volume of traffic I see both in the mornings and evenings.

Our country roads were not built for high volume traffic and large trucks. The <u>roads will be</u> <u>laced with potholes and deterioration with large trucks frequently traveling</u> this county-maintained road. The <u>snow and ice on these roads are a safety challenge</u>, even after roads are treated, due to the layout of the roads with no shoulder. Our vehicles slide around and postal trucks actually get stuck trying to deliver mail on the edge of the roadway with accumulation.

Adding volume and large trucks to the intersection of 158th and K-32 would add to the number of wrecks occurring at this intersection with a <u>blind hill and only a stop sign for each North and South bound traffic.</u>

The sign on 158th states prohibited truck ordinance on the stretch of 158th to the route of the proposed sand plant from K32. Adding large truck volume will bring new safety concerns and will make a significate negative impact to the way of life created in this community as new homes and communities are constantly being added.

We respectfully request that you consider the safety of your constituents and deny this permit for the benefit of your tax paying residence.

Sincerely,

Jennifer & David Janes

13804 158th St.

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Planning commissions recommend denial of sand permit

January 30, 2013

Both the Eudora and Lawrence-Douglas County planning commissions voted Wednesday to recommend denial of a permit application for Penny's Aggregate to develop a large sand pit mine along the Kansas River.

It will now be up to the Douglas County Commission to make a final decision in a vote tentatively scheduled for Feb. 27.

The Eudora planning group voted 4-0 to deny the permit. The vote on the Lawrence-Douglas County panel was 4-3 for detrial

That represented a reversal for the Lawrence-Douglas County group, which voted narrowly in October to recommended approval of the permit, subject to several conditions. But it was a consistent vote for the Eudora planning group, which has been solidly opposed to the proposal all along.

Appends several concerns were raised during the lengthy public hearing, Eudora Planning Commissioner Johnny Stewart summed up the one issue that seemed most important in swaying votes; the choice between developing and marketing the country's natural resources, or protecting its most valuable farm land.

"it seems to be a competition between resources, whether it's land or sand," Stewart said.

Both of those goals are listed as priorities in the county's long range comprehensive plan, known as Vision 2020.

The proposal called for developing a sand pit on 434 acres near the Kansas River, north of Eudora. It was a rare instance when the application had to go before both planning commissions because the site is in an unincorporated portion of Douglas County, but within the three-mile extratemitorial jurisdiction of Eudora's zoning authority.

Penny's sells the sand for use in concrete mixes and other construction material.

"The big thing for me is the destruction of class 1 and class 2 scils," Lawrence-Douglas County commissioner Clay Britton. said. "It's a decision about which resource we want to have available for use."

The proposal has been before the county commission once but had to be sent back to the planning commission because of a technical error in the public notification process. Property owners on the north side the river in Leavenworth County were not notified of the earlier public hearings, even though they live within the 1,000-yard radius where notification is required.

Several Leavenworth County residents came to Wednesday's hearing to express objections to the noise that would be created. They asked for additional conditions to be attached limiting the level of noise and the hours of operation for the pit

Others who testified, including the city of Eudora, raised concerns about the impact the pit mine would have on the stability of the river bank and the potential for groundwater contamination in the event of another major flood on the river.

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

May 12, 2019

Leavenworth County Planning Commission 300 Walnut Street Leavenworth, KS 66048

Re: Case No. DEV-19-008 (Kaw Valley Sand Plant)

Request for full evaluation of threats to endangered and threatened wildlife species by the U.S. Fish and Wildlife Service and the State of Kansas prior to granting a special use permit.

Request to the Planning Commission

I am requesting an immediate delay in the evaluation of the special use permit to Kaw Valley Companies for the tract of land located in the southwest quarter of Section 22, due to the possible violation of the U.S. Endangered Species Act, the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Lacey Act and other local, Kansas and federal protection laws or ordinances.

There is enough evidence compiled to presume probable cause that the proposed sand mining operation would be in violation of the Bald and Golden Eagle Protection Act, and possibly other federal and state laws.

Background

A preliminary review of the wildlife and bird population, and an inquiry into research done by Kansas State University of the proposed site for the Kaw Valley Sand Plant and the surrounding area have revealed several possible violations of Bird and Animal protection laws that are meant to preserve the habitat and nesting areas of endangered, threatened or vulnerable species.

Bald and Golden Eagles

Bald and Golden Eagles have been documented as nesting in the area surrounding the proposed Kaw Plant. One was sited June 10 during a visit to the Burning Tree Golf Course (see Figure 1). Many nests and juvenile and adult eagles have been observed and photographed over the years in trees in the vicinity.

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Figure 1 Photo by Jo-Ann Moore, 06/10/2019, Burning Golf Course

- a. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) specifically prohibits the "possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). "Take" includes pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb (16 U.S.C. 668c; 50 CFR 22.3)"
- b. "Disturb" means anything that causes a "decrease in productivity or nest abandonment". https://www.fws.gov/midwest/eagle/protect/laws.html
- c. Per the U.S. Fish and Wildlife Service (fws.gov), Bald Eagles degree of sensitivity to human activity varies by phase of their lives and by individual. However Eagles can be negatively impacted by visibility of the human activity, its duration and noise level and extent of the area affected by the activity. The negative impacts are numerous; some examples include nest abandonment, abandonment of territory, leaving young or eggs for longer than usual resulting in increased vulnerability to predators and the elements, nestlings may leave the nest prematurely, and fledglings may leave the nest prematurely and die.
 - (https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)
- d. Threats by Kaw Valley Sand Mining Operation to Bald Eagles according to NWS guidance would include but not be limited to:
 - (https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)
 - i. sudden noises (such as the startup of the facility, backup alarms on vehicles, and any truck or equipment loud or sudden noise)
 - ii. disturbance of the foraging and feeding area (the currently planted or fallow agricultural fields are feeding and foraging areas for eagles)
 - iii. disturbances and human activity that is in full view. Visibility is a factor because eagles are more prone to disturbance when an activity occurs within their sight.
- e. Per the U.S. Fish and Wildlife Service, the specific disturbances listed in part 1.d. "could be, considered disturbance under the Eagle Act and thus a violation of the

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Act."

(https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)

f. Current agricultural planting and harvesting would not be of concern to the eagles due to the time period of the activities (not during nesting and raising of the young), and due to the temporary and relatively short duration of the noise and the visual activity. The sandpit however, would operate throughout the year including during the most vulnerable time for nesting and raising young.

Other Protected, Threatened or Vulnerable Wildlife

- 1. Hognose Snake: (See Figure 2)
 - Both the Western and Eastern Hognose snakes are considered threatened in Kansas. https://ksoutdoors.com/Services/Threatened-and-Endangered-Buildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - b. Habitat protection is paramount per the KS Dept. of Wildlife, Parks and Tourism https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - c. Snakes located on a property adjacent to the Kaw Valley proposed project have been the subject of documented research by the Kansas Dept. of Wildlife, funded by a grant from Kansas State University due to the species' threatened status and relative rarity in Eastern KS.
 - d. The snakes have been spotted recently and repeatedly at Burning Tree Golf Course, and their feeding and nesting grounds include the surrounding areas including the agricultural fields that Kaw Valley proposes to convert into a sand pit.
 - e. This snake needs grasslands and sand to survive, and is very sensitive to vibration. The destruction of adjacent grasslands/feeding grounds and the impact of dredging and blasting, truck and machinery operations will destroy the habitat of the existing Hognose snakes.



Figure 2 Western Hognose Snake, KS Dept. of Wildlife

2. Yellow Billed Cuckoo (see Figure 3)

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- a. The Yellow Billed Cuckoo has been listed as "threatened" by the U.S. Fish and Wildlife Service for certain regions of the country, and has been petitioned for classification as "endangered" throughout the United States.
 https://www.biologicaldiversity.org/species/birds/yellow-billed_cuckoo/index.html
- b. A Yellow Billed Cuckoo was identified from Lenape Road in the area of the proposed sand quarry in a bird survey conducted June 10, 2019.
- c. The impact on the Yellow Billed Cuckoo of conversion of the land adjacent to Lanape Road to Sand Quarry operations needs to be further investigated to determine the legality of proposed opertions.



Figure 3 Yellow Billed Cuckoo, courtesy of Jo-Ann Moore

Concerns for Other Local Wildlife

Many members of the community have expressed concerns about the lack of fencing of the sand pit operations due to the presence of deep water with a sharp drop off. The area is home to deer, coyotes, rabbits, squirrels, foxes, raccoons, opossums, skunks, and hundreds of other animal species, both wild and domestic. Even mountain lions have been sighted crossing Golden Road at the location of the proposed Sand Pit.

Chain link fencing surrounding the entire mining site is the only appropriate and humane solution to prevent unintentional harm to local wildlife, domestic animals and of course, humans.

Sincerely

Barb Paulus Sherman Township, Leavenworth County

Cc: Chris Barrows, KS Dept. of Wildlife, Pratt, KS Sierra Club, Topeka, KS

Dear Planning and Zone Board Members and Commissioners,

We would like to advise, this has not been very easy to absorb the shock of this issue. We are not sure how the businesses and residents of our lifelong county are to be informed of this kind of issue, however finding out the news about a sand plant on Facebook, by a member of our business, was quite alarming on April 25, 2019.

There are many concerns we have for this sand plant project:

Natural Wildlife

- We have contacted Kansas State University and the Kansas Department of Wildlife to
 assist us with a hognose snake which was researched on the grounds of Burning Tree.
 This research was funded from a grant given from Kansas State University, for this snake
 that is threatened and endangered species, to our grounds in the state of Kansas.
- Kansas State Wildlife extension office of Johnson County and the Kansas Wildlife headquarters in Pratt, Kansas, and the Secretary of State, are trying to locate the research. They advised me on Tuesday, June 11, 2019, that they need time to find the records and research. The head of Ecological Services, Chris Barrows in Pratt, is working on this, but director of Kansas State University extension office in Olathe has advised, we should ask for an extension for this hearing. Neither entity will be able to have the research available to meet this deadline.
- This snake has been identified and seen on the grounds in the last year, by a golfer who
 was quite concerned, when their ball landed in the sand, where this snake was sunning.
- O Bald eagles fly daily, over the Burning Tree Golf Course, and fishing the river for food. These eagles have nested on the grounds of Burning Tree and along the river to the east and west of our property lines. They are very territorial and chase other large birds from the property. Many people come to patronize our course to enjoy the in-flight eagles above our leased property. Many pictures have been taken frequently, with the last known occurrence was cited by a golf course visitor and myself, on Monday, June 10, 2019. He was an adult bald eagle flying over our green. Pictures do tell the story and date/time of this occurrence.
- Additional bird wildlife, which was identified and pictures taken was totaled at 33+ different species. These sightings of bird occurrences took place on Monday, June 10, 2019.
- We have contacted the Kansas Wildlife, to advise of our concerns. The National Bald Eagle Act has been attached.
- White Tailed Squirrels are quite common on the golf course. The Kansas Wildlife was not aware of these squirrels on our property. However, this squirrel is here year after year and not been seen anywhere else in Kansas. This squirrel has been named Bernie, by a young golfer, as our mascot.
- Please provide an extension, so that Kansas State and our Kansas Wildlife can complete their research on the hognose snake in which is a threatened and endangered species, on our grounds.
- Various other wildlife, including large Black Snakes that protect our course from venomous snakes as well as small rodents. Our 7 foot black snake's name is Charlie and no golfer disturbs his presence and he likes watching the game while sunning.

Golf Course Members and Patrons of Burning Tree

 Please consider the elements of a tranquil and serene wildlife environment for the pleasures of thousands of golfers a year. Our rounds of golf equals over 15,000 for last year's attendance. Yes, that is why many golfers visited Burning Tree. People from all

- over the Kansas City area visit this golf course frequently, for the pleasures of the quiet, tranquil, and non-stressful elements we have to offer. Burning Tree provides the opportunity to help people with their physical and mental state of minds by releasing the stress, with the game of golf on a very peaceful environment.
- o Burning Tree is the home course for many of our area high schools golf teams. These schools are given FREE golf practice throughout the high school golf season. The area schools, which participate have been, Bonner Springs HS, De Soto HS, Tonganoxie HS, and Mill Valley HS. They also have been given the opportunity to play their tournaments here, for FREE of charge as well. Burning Tree is the only golf course that provides FREE play to area schools.
- o Burning Tree also provides a non for profit organization to house a golf academy on our grounds, for FREE of charge, for the organization.
- Optimist International formed a one focus club with the agreement of the owners of Burning Tree, to teach the game of golf to young children. This Optimist Club was chartered in 2015 and named the Burning Tree Optimist Academy. Children from ages 6-14 receive golf instruction from local pros and high school golf coaches. These program run during the summer. These children are allowed to return and practice with their families, for FREE of charge. This organization has received national recognition and is the only golf academy of its kind in the United States. Burning Tree Optimist Academy has taught over 250 children in the past 4 years.
- High School golfers from area schools have the opportunity to volunteer in the Optimist Golf Academy and give them hours of community service to qualify for scholarships in college. Many of our high school golfers follow golf scholarships that are received, due to their participation in community service. Two of our high school students from De Soto HS, received the governor's award in the state of Kansas. This award has been given to these two young men, for their hours of community service at the Burning Tree Optimist Golf Academy. These have been two great opportunities for our young golfers to qualify for college scholarships.

Noise

- O Constant noise or loud noise or ANY noise with any decibel level is not favorable at any golf course and Burning Tree is no different. Burning Tree is just unique due to the tranquil and quiet atmosphere. Golfers cannot concentrate, if there is noise present. Golf etiquette is a rule of NO talking or noise made while a golfer is hitting the ball. This is written in the PGA rules and guidelines for every golf course in the US and in the world. Does that mean Burning Tree is not able to follow the guidelines that are set, in which our business has to follow every day, when we are open for business? Burning Tree is open for play above 40 degrees.
- Traffic has been a negative factor for the players, however, the traffic that travels 166th
 Street is sparse enough, that golfers usually wait until a loud vehicle or motorcycle passes. Consistent truck and vehicle traffic will have a negative impact on the game for our members and patrons who visit our course.
- Golfers will not be able to wait or eliminate the negative impact of Noise that bears to factor on their game or their physical or mental stress. Any Noise will not work for golfers and their rounds of golf at Burning Tree.

Blowing Sand and Air Quality

 Blowing sand across the golf course is another negative factor, when golfers are playing their round. This sand will interfere with the golfers' vision. As well as our equipment, golf carts, and vehicles that are on our premise. Many golfers will not be able to endure

- the blowing sand in their face, hair, clothes, golf bags and clubs, and their personal vehicles.
- Sand will become airborne, throughout the area. Making breathing difficult for many people and wildlife. We have not been given details about this, however, most sand plants do require employees to follow safety issues required by law.

• Traffic Concerns

- A traffic study was completed and it is extremely concerning. These trucks must be allowed to use our rural roads of Leavenworth County, finding the closest route to a Kansas funded hi-way. Our two Kansas hi-ways are K-10 in De Soto at Kill Creek and Lexington Ave in De Soto and K-32 to the north of Burning Tree, which runs from Linwood, through Bonner Springs, and Edwardsville. City of De Soto has requested for the trucks to not cross the bridge. These routes will endure in a 12 hour day, around 400 sand filled trucks, and return to the site, for additional trips. These plants, sometimes run, 24 hours a day, creating twice the truck traffic 3) sand trucks causing backups at the railroad crossing; for any and all persons.
- Truck traffic will make all forms of travel, dangerous, (cars, bicycles, motorcycles, busses); safety for our children of our community who ride school busses, to and from school and who wait at the road for pickup; safety for people traveling, to and from work, using the KS river bridge to cross from Leavenworth Co. to Johnson Co, or visa versa
- Our taxpayers will endure repairing/replacing the roads and bridges; All routes to/from this location cannot handle the turning of semi's and the weight of these trucks at 80,000 lbs.
- Vehicle safety for the golfers who use 166th to access and exit Burning Tree for play.
 Also for the children who are enrolled in the Optimist Academy
- Also for our young high school golfers and school coaches and families, who use our facility with school participation of golf.

Lastly, my family has been living in Leavenworth County for over 75 years and my entire immediate family have always supported the community, local businesses, schools, and our local government. This topic has been extremely difficult for our family, due to our commitments all inside Leavenworth County jurisdiction. Always, living in Fairmount Township and working in Leavenworth till retirement and now our business in Sherman Township, of Leavenworth County. We are extremely committed to the county with all of which we spent inside the borders of this county, while we participated lifetime schools for generations, University of Saint Mary's, employment between both spouses, present planning and zoning commissioner, today's president of Basehor Pride, and hundreds of hours of volunteer work, providing opportunities for many others through our work in our communities. Please consider the quality of life of our citizens have enjoyed throughout the years. As recovering from a tragic accident with hours and hours of therapy, at hospitals & rehab office visits, for the past 16 months and released, in April. I'm sorry for this late email, however the time frame of collecting my facts was not adequate.

Sincerely yours,

Stephanie Swenson

General Manager; GreatLife Golf & Fitness at Burning Tree; 11578 166th, Linwood, KS





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Danger in the Air

SEPTEMBER 25, 2014

Health Concerns for Silica in Outdoor Air

OUTDOOR AIR

DANGER IN THE AIR: HEACT BY CONCERNS TO BE STILL

Introduction

Mining, processing and transporting sand generate large quantities of silica dust, which is notorious for the damage it does to the lungs and respiratory system when inhaled. In recent years, the dramatic expansion of hydraulic fracturing and horizontal drilling technology to extract gas and oil, commonly called "fracking," has led to boom in sand mining across the upper Midwest, creating a significant public health threat in the region.

None of the states at the center of this "frac sand" mining boom have adopted air quality standards for silica that are adequate to protect people living or working near the scores of recently opened or proposed mining sites. The growing danger of airborne silica is especially acute for children and other vulnerable populations.

Silica can impede breathing and cause respiratory irritation, cough, airway obstruction and poor lung function (Rego 2008). Chronic or long-term exposure can lead to lung inflammation, bronchitis and emphysema and produce a severy unglisease known as silicosis, poformeof pulmonary fibrosis (Hnizdo 2003).

Silica-related lung disease is incurable and can be fatal killing hundreds of workers in the U.S. each year. The National Institute for Occupational Safety and (100 th) (NIOSH) has estimated that at least 2.2 million workers in the mining and construction industries are exposed to inhalable silica each year. However, the Institute noted, "There are no surveillance data in the US. that permit us to estimate accurately the number of individuals with silicosis. The true extent of the problem is probably greater than indicated by available data" (Weissman and Schulte 2011).

The fracking boom has meant that many more workers are being exposed to silica dust at "frac sand" mines or at drilling sites, where the sand is mixed with water and toxic chemicals before being injected underground to extract gas or oil trapped in deep rock formations. In a 2011-12 study, NIOSH found that exposure to airborne silica exceeded its occupational health criteria at every one of 11 fracking sites it tested, in some cases by a factor of ten or more (Esswein 2013). In response, the Institute and the Occupational Safety and Health Administration (OSHA) issued a Hazard Alert to warn workers of the risk (OSHA 2012).

In 2013 OSHA proposed new rules for occupational exposure to silica dust that it estimates could save 700 lives and prevent 1,600 cases of silicosis a year. The new rules, the first revision in 40 years of the agency's permissible exposure limits for silica, would limit workplace exposure to 50 micrograms per cubic meter of air (µg/m3), averaged over an eight-hour day (OSHA 2014). Last year, U.S. Assistant Labor Secretary David Michaels told an oil and gas industry task force that more than 60 percent of workers at fracking sites are being exposed to amounts of silica above the proposed limits (Grossman 2013). The new rules have not yet been finalized.

How Silica Damages Health

By itself, silica is not toxic. The health risk arises when silica particles are small enough to get into the deepest parts of the lungs, especially the alveoli where inhaled air passes into the bloodstream (US EPA 1996).

In addition to the severe damage silica dust does to the lungs and respiratory system, studies of miners have linked it to diseases such as rheumatoid arthritis, systemic lupus erythematosus, scleroderma and kidney damage (Makol 2011; Parks 1999). Exposure to high levels has also been linked to heart problems, since the heart must work harder when pulmonary tissues are injured. Workers exposed to silica in other industries have a higher risk of lung cancer, which has prompted government and international health agencies to declare silica a known human carcinogen (IARC 2012; NTP 2011; Steenland 2014).

Silica dust is one of the most harmful components of "particulate matter," a mixture of small airborne particles of organic chemicals, metals, minerals and soil (Reff 2009). Smaller particles pose the greatest danger because they can get deeper into the respiratory system. Fine particles smaller than 2.5 micrometers in diameter – less than 1/30th the width of an average human hair – are more harmful than larger particles. (The shorthand designation for particulate matter of a given size is "PM" followed by the diameter, as in PM2.5, PM4, PM10 etc.) Epidemiological studies have shown that breathing air polluted with PM2.5 particles causes heart and lung problems and increases the death rate from heart disease and lung cancer (Lepeule 2012). Particles larger than 2.5 micrometers in diameter do not get as deep into the lungs, but PM10-size pollutants do exacerbate respiratory diseases, particularly asthma, and cause heart failure (Shah 2013; Weinmayr 2010).

The concentration of silica in the air is often estimated based on the percentage of crystalline silica in a given sample of PM10, PM4 or PM2.5 particles (ACC) 2001; Davis 1984; EPA 1996). Depending on the source, the level of silica in inhalable particulates corrected at quarries and sand pits can be as low as 1-2 percent or as high as 95 percent of total particulate matter (Environment Canada 2013).

When tiny silica particles lodge in the alveoli, they cause an ongoing inflammation that damages lung tissue and causes scarring and fibrosis, a precursor of silicosis and lung cancer (IARC 2012). Freshly crushed silica is more damaging to the respiratory system and produces a more severe inflammatory response than "aged" silica particles of the same size (Shoemaker 1995; Vallyathan 1995). Breathing sharp, freshly-cut sand dust, such as silica at sand mining and processing sites, carries a greater risk of pulmonary disease than breathing older, smoother particles weathered by heat, wind, and moisture — such as silica dust blown from cropland.

There is no federal standard for ambient air exposure to silica outside the workplace. Based on occupational data, the EPA came up with a health-protective benchmark for crystalline silica in PM10 particles of 3 micrograms per cubic meter (μ g/m3) (Gift 1997; US EPA 1996). Crucially, however, EPA's benchmark did not consider the risks of exposure to vulnerable populations such as children or people with respiratory disease. The federal air quality standard for long-term exposure to PM2.5 for the general population is 12 μ g/m3 a year, and the 24-hour, or acute, PM10 standard is 150 μ g/m3 (US EPA 2014).

State exposure limits are inadequate to protect children's health

Silica exposure is a well-known danger for workers in mining and construction. With the spread of frac sand mining, however, silica air pollution has also become a danger for residents near sand mining and processing operations. Children, older adults and people with respiratory diseases are especially at risk. In the absence of a national air quality standard for silica outside the workplace, six states have developed their own standards or guidelines.

State	Calif.	Minn.	New Jersey	Texas	Vermont**	New York**
Limit (µg/m3)	3	3	3	2	0.12	0.06
Type of limit	chronic reference exposure level	chronic health- based value	long-term reference concentration	chronic reference value	hazardous ambient air standard (annual)	annual guideline concentration
Measured as	PM4	PM4	PM10	PM4	PM10	PM10

Table 3. State exposure limits for crystalline silica in air*

^{*} Long-term exposure limits for general population based on the risk of silicosis.

^{**} General population exposure limits derived by state agencies from occupational exposure values established by the American Conference

of Governmental Industrial Hygienists (New York State Department of Environmental Conservation 1997; Vermont Department of Environmental Conservation 1998).

EWG's analysis concluded that the silica exposure **GWG** adopted by California, Minnesota, New Jersey and Texas are insufficient to protect children and other vulnerable populations, for several reasons:

These exposure limits are based on epidemiologic studies of adult male miners, a population of typically healthy and robust workers. None of the studies included children or vulnerable populations, although they face unique risks. As the California Office of Environmental Health Hazard Assessment (OEHHA) noted, "exacerbation of asthma, which has a more severe impact on children than on adults, is a known response to some respiratory irritants" (OEHHA 2005). The agency added: "Since children have smaller airways than adults and breathe more air on a body weight basis, penetration and deposition of particles in the airways and alveoli in children is likely greater than that in adults exposed to the same concentration."

In setting their silica exposure values, California and Texas used epidemiological data from miner studies and applied a three-fold adjustment factor as a margin of safety to account for human variability. (Minnesota adopted the California standards.)

EWG strongly disagrees with this approach. A three-fold margin of safety is insufficient to account for the potentially elevated sensitivity to silica among children, the elderly and people with respiratory diseases. The California agency's own guidelines for the Derivation of Non-cancer Reference Exposure Levels, finalized in 2008 – three years after it adopted its silica exposure limit – call for a higher adjustment factor to protect children's health from air pollutants (OEHHA 2008). In fact, in the draft risk assessment for benzene the Office of Environmental Health Hazard Assessment published in January 2014, it called a 10-fold adjustment a "default" factor for air toxics to allow for the differences among infants, children and adults (OEHHA 2014). Similarly, the U.S. EPA also typically uses an additional safety factor of 10 in its risk assessments for certain exposures during vulnerable periods of development. In the case of pesticides, the Food Quality Protection Act of 1996 specifically requires consideration of children's exposure (U.S. EPA 2002a; U.S. EPA 2002b).

Under the California office's current rules for assessing the risks of air pollutants, the three-fold safety factor is first applied where toxicological data is based on studies of adults only, as is the case with silica. If there is reason to suspect additional susceptibility in children to a particular pollutant, such as potential exacerbation of asthma, the rules call for applying an additional factor of 10 (OEHHA 2008). In sum, an overall 30-fold adjustment factor would be appropriate for air pollutants that pose particular risk to children, and in some cases the factor could be even larger (OEHHA 2008).

In its ongoing analysis of chronic exposure to benzene, for example, the California OEHHA started by recommending an adjustment factor of 30 to account for general human variability and children's particularly susceptibility, but it later published an update concluding that an adjustment factor of 60 would be more appropriate (OEHHA 2014). In the risk assessment document for 1,3-butadiene, an industrial chemical used in making synthetic rubber, the agency again applied an overall adjustment factor of 30 (OEHHA 2013). Similarly, in 2012, it adopted a 30-fold safety factor in setting exposure limits for nickel to account for children's sensitivity (OEHHA 2012).

EWG believes that exposure limits for silica also require an additional adjustment factor of 10 to account for the absence of epidemiological studies on children and their greater susceptibility to respiratory

toxicants and to chemicals that affect the immune system. The California, Minnesota and Texas silica exposure levels all disregarded potential vulnerability of children to air pollutants such as silica.

Applying both the three-fold and 10-fold adjustment for silica exposure in outdoor air should be no higher than 0.3 μ g/m3, and it may need to be lower.

To date only Vermont and New York have met this threshold. Both states have, in fact, set even more stringent silica exposure guidelines of $0.12~\mu g/m3$ and $0.06~\mu g/m3$, respectively. In setting those limits for silica in ambient air, New York and Vermont used a different method than California or Texas. Both started from occupational exposure limits and applied an adjustment factor of 100~(10~x~10). This combined factor of 100~takes into account the inherent toxicity of silica and the variable vulnerabilities of the population.

How much silica are communities near frac sand mines breathing?

Data on air pollutants near the Midwest's burgeoning sand mining and processing plants are limited. Detailed air monitoring studies are critically needed to track the levels of airborne silica and other air pollutants near sand mining and processing operations and along the routes driven by trucks transporting the sand. Such studies should measure both airborne silica levels and how far silica and other air sandmining pollutants travel on the wind (WDNR 2012).

One study of a sand and gravel facility in California found that at 750 meters (almost half a mile) downwind, the furthest point monitored, the level of silica in the air was twice as high as at an upwind site (Shiraki 2002). The silica content in particulate matter samples decreased from 33 percent at the plant itself to 10 percent at 750 meters away (Shiraki 2002). EWG recommends that air quality should be monitored at up to 1,500 meters (almost a mile) from sand mining and processing facilities. Monitoring at even greater distances may be necessary if significant quantities of silica are found at 1,500 meters downwind.

EWG's accompanying interactive map of existing or proposed frac sand operations in a region that spans parts of Minnesota, Wisconsin and Iowa identifies zones of concern at distances of 750 meters and 1,500 meters from each site. The potential risk of airborne silica at any given location depends on both the size of the site and the type of activity. A 1,500-acre open-air sand mine would generate more silica dust and disperse it over a wider area than an indoor processing facility or a railway loading station. The mapped zones of concern should be considered only as indicators of potential risk. Further research may indicate that these zones should be larger.

Analyzing estimated silica levels near frac sand sites

In January 2013, a research group from the University of Wisconsin-Eau Claire did a study of PM2.5 particle pollution near sand mining and processing operations. The choice of PM2.5 particle size was based on several factors. First, these smaller particles are more toxic to the respiratory system. Second, PM2.5 particles are encompassed in the California, Minnesota and Texas silica limits based on PM4. In contrast, the larger PM10 size would include many particles that are excluded from the limits set by California, Minnesota and Texas. Finally, there is a federal PM2.5 annual standard for the general population that corresponds to chronic open-air exposure, but there is only a short-term exposure standard for PM10 particles (US EPA 2014).

The Wisconsin researchers collected 16 air samples at the fence line (within 10 to 30 meters) of the EOG Perources Inc. sand mine and processing plant in Tippewa Falls, Wis. They found that the levels of Fivi2.5 ranged from 33 to 57 micrograms per cubic energy (μ g/m3), with an average level of 41 μ g/m3. They further estimated the silica content of the sanfales at 15 percent, yielding an average level of silica of 6 μ g/m3. This is twice California's and Minnesota's PM4 chronic exposure limit for silica and three times the level set by Texas. It is 20 times the long-term exposure level of 0.3 μ g/m3 recommended by EWG to be fully protective of children's health.

The 15 percent average silica content of the samples in the Wisconsin study is largely consistent with several other studies. Sampling of particulate matter collected at sand and gravel operations in California's Central Valley found silica levels of 6-to-26 percent, while sampling from two coastal sand quarries found silica levels of 14-to-17 percent (US EPA 1996). An analysis of inhalable dust samples at sand mining sites in Wisconsin reported silica concentrations in the range of 1-to-40 percent, with an average of 14.5 percent (Pierce 2013). Finally, a recent study of workers at fracking sites in five states found that silica constituted 53 percent of inhalable dust (Esswein 2013).

Conclusion

Silica levels detected near frac sand facilities in Wisconsin and Minnesota are at least 10 times higher than the health-based exposure limit of $0.3~\mu g/m3$ that EWG considers safe for children and other vulnerable populations. This represents a significant health risk for residents living in close proximity to these sand mining and processing facilities. Residents exposed to sand dust spreading along the sand truck driving routes may also be exposed to silica dust in amounts that should cause concern.

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1 *Chronic exposure* is repeated, continuous exposure to a hazardous substance over an extended period, defined by the Environmental Protection Agency as more than 10 percent of a person's lifetime and potentially the entire lifespan.

Long-term exposure is a less formal term that can be used synonymously with chronic but is often used to

all 5 county commissioners and as you.

I have one request before you vote on the sand plant special use permit:

would it be possible for every voting member to travel the proposed truck route and visit the site before you make a vote that is beneficial to the citizens of this county?

If this is not possible before Thursday June 12th would not be in everyone best intrest to postpone the meeting till this has taken place?

Thank You, Anthy Mashell 17322 Golden Road Linwood, Ks. 66052 816-807-2076

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Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lenape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, asphalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

We want answers please,

June 6, 2019 Jun 1 2 2019

Dear Mr. Jeff Joseph, Director, LV Co. Planning and Zoning,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

Sincerely

Voth, Krystal

From:

Joseph, Jeff

Sent:

Monday, June 10, 2019 7:42 AM

To:

Voth, Krystal; Sloop, Stephanie

Subject:

FW: Request to delay sandpit hearing

From: Barbara Paulus [mailto:barbpaulus1@gmail.com]

Sent: Friday, June 07, 2019 7:29 PM

To: Joseph, Jeff < ijoseph@leavenworthcounty.org>

Subject: Request to delay sandpit hearing

Mr Joseph:

Please forward this email and the attached photos to the Planning Commissioners.

As I am certain you know, our part of the county-Linwood and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Many of us had direct damage to our property due to wind, water and debris (sharp large pieces of tin fell from the sky). Besides protecting life and searching for and helping victims, our community members had to immediately stop further damage to their homes, relocate families to other housing if necessary, move trees and debris just to get out of their homes and garages. Electricity, gas, cell coverage and landline outages lasted for days for many of us. Food and water was delivered to workers and volunteers.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives-farming, going to work and school, taking care of our families. I have attached photos taken yesterday of my community-9 days after the tornado. You can see that there is tremendous damage, as well as debris and road blockages.

It will take months to get back to normal here.

We understandably have not had the time to do the research and give proper thought to the proposed Sand Pit.

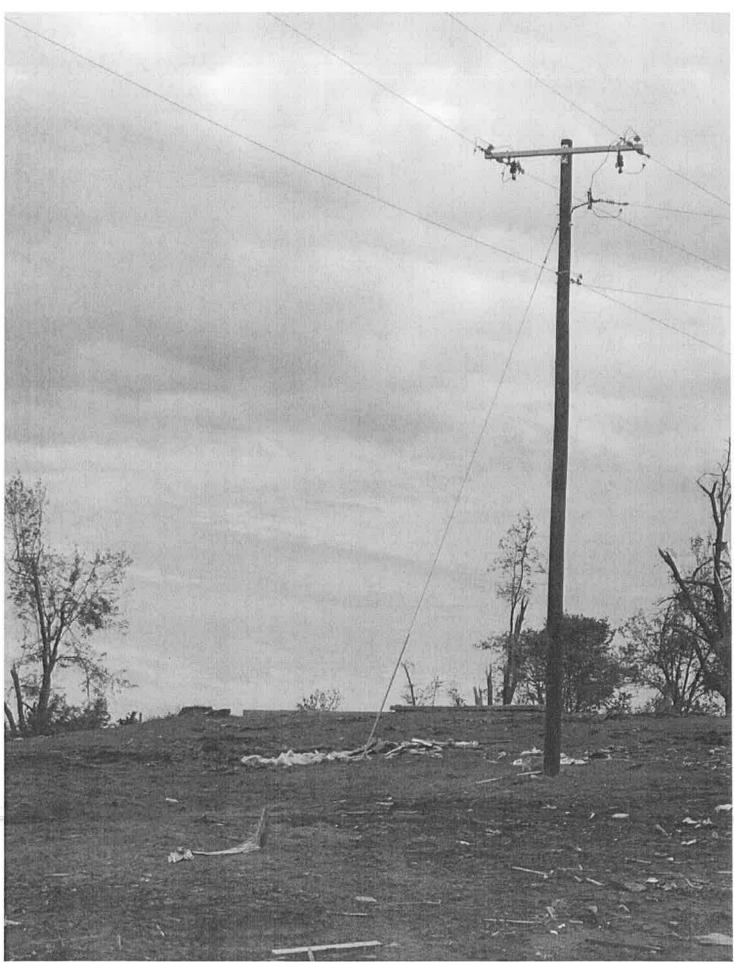
That is why I am asking that the hearing on the Sandpit for Kaw Valley originally scheduled for June 12th be delayed.

Barb Paulus 13921 166th St. Bonner Springs 913-526-0896

Sent from my iPad by Barb Paulus 913-526-0896

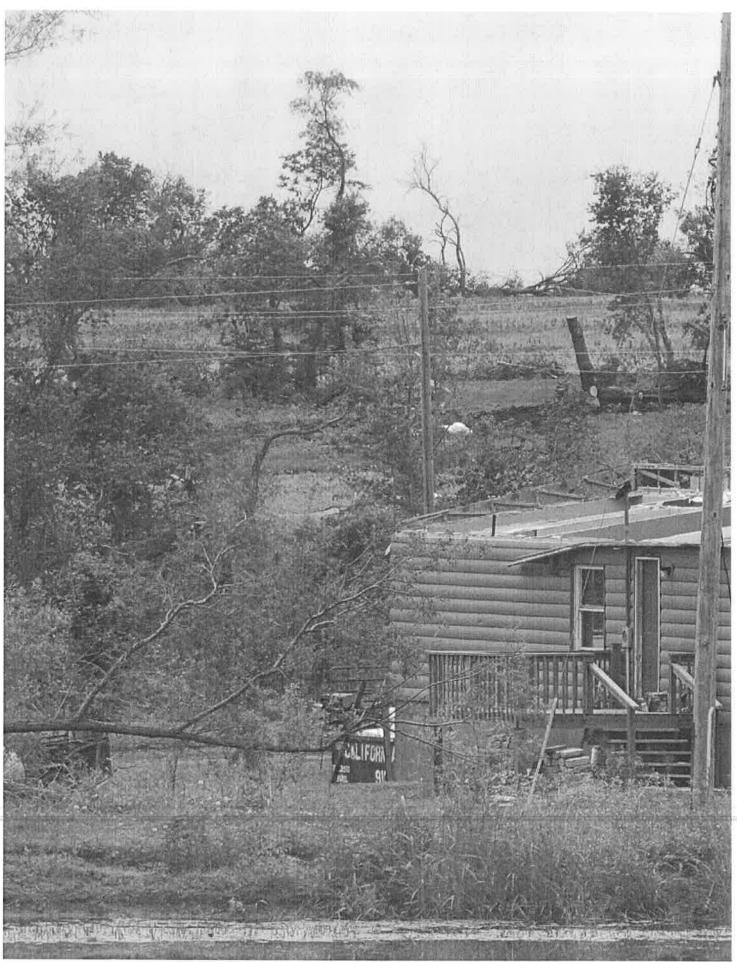


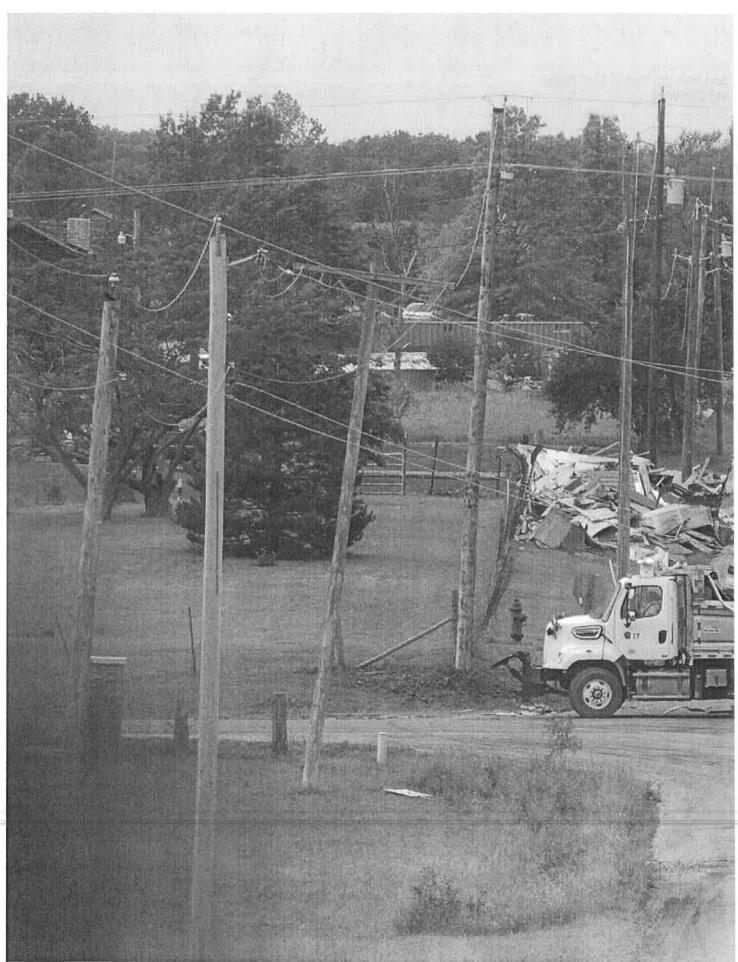












Sent from my iPad by Barb Paulus 913-526-0896

Echo Van Meteren 12400 170th St Linwood KS 66052 913-683-4939 fairecho@gmail.com

Leavenworth County Planning Commission

Leavenworth, KS pz@leavenworthcounty.org

Dear Planning & Zoning Directors and Planning & Zoning County Commissioners,

I am writing to you today regarding a public hearing for a Special Use Permit submitted by Kaw Valley Companies, Inc. Address: 00000 Lenape Road/166th & Lenape, Parcel ID Number: 235-22-0-00-004.00:

As you can tell by my address I live near the proposed quarry. We moved here four years ago because we fell in love with the peaceful country setting. We went to work cleaning up the 24-acre property. We planted nearly 100 fruit trees and have a large 1200 sq. ft garden each season. From the time of the last frost to the first frost we are outside working. This property provides food for my family all year long. The long-range goals were to have an established orchard and gardens that would produce enough goods to sell at the Farmer's Market.

When I received the notice of the hearing, I was interested in learning exactly what the process of extracting raw materials would entail and how it would affect the area. I went about researching the process. What I found was somewhat surprising.

Aesthetically, an open sand pit processing plant does not fit into the surrounding built environment; a golf course, farms, and residential properties. Those requesting the special use should "fit" into the aesthetics of the built environment. Beyond the aesthetics, there are serious health factors to consider.

FACT: Diesel emissions cause cancer "IARC classifies diesel engine exhaust as "carcinogenic to humans," based on sufficient evidence that it is linked to an increased risk of lung cancer. IARC also notes that there is "some evidence of a positive association" between diesel exhaust and bladder cancer".Jul 27, 2015

https://www.cancer.org/cancer/cancer-causes/diesel-exhaust-and-cancer.html

FACT: Diesel emission cause confusion in bees. Studies show that the diesel emissions will reduce the bee population.

https://www.denverpost.com/2013/10/03/diesel-fumes-baffle-bees-study-shows/ "Diesel exhaust fumes alter the flowery smells that guide bees when they forage, potentially sending them off course and putting the food-growing industry at risk, a study said Thursday. This in turn, threatens the insects' crucial role as key pollinators of human crops. "Somewhere in the region of 70 percent of the worlds crops require pollination service, and...about 35 percent of our current food production is reliant on pollination,"study co-author Tracey newman of the University of South Hampton told a press conference ahead of the report's release in the journal Nature

Governmental regulatory authorities have a duty to protect the outdoor ambient environment so that those in the neighboring area would not be subjected to an increased health risk. Due to the scale of this project, the thousands of heavy trucks and the operation itself will produce an increase in diesel emissions in our area during hauling and processing. There are train tracks that cross 166th St. When the trucks stop for a train this will increase the concentration of emissions to those living nearby. This will have an impact not only on our physical health but for those of us that rely on bees as pollinators. This will impact our livelihoods.

FACT: blowing sand: Silicosis; caused by the silica in the dust of industrial sand operations causes incurable fatal lung disease. "SILICA EXPOSURE AND POTENTIAL HEALTH IMPACTS 2 Introduction As reported in "NIOSH Hazard Review: Health Effects of Occupational Exposure to Respirable Crystalline Silica," occupational exposure to respirable crystalline silica dust can have several adverse health consequences, including silicosis, tuberculosis, chronic bronchitis, emphysema, and chronic renal disease [NIOSH 2002]. In addition, NIOSH has classified crystalline silica as 2 a potential occupational carcinogen [NIOSH 2002; 54 Fed. Reg. 2521 (1989)]. 2 Federal Register. See Fed. Reg. in references. Silicosis is the disease predominantly associated with crystalline silica exposure. Silicosis is an incurable and potentially fatal lung disease caused by the inhalation of respirable crystalline"https://www.cdc.gov/niosh/mining/UserFiles/works/pdfs/2012-112.pdf PER EPA: "substantial portion of these emissions may consist of heavy particles that settle out within the plant."

There is no fugitive dust mitigation procedures that will adequately protect those playing golf on the neighboring course. All you must do is drive by the existing sand excavation sites to realize this project will adversely affect the existing business at Burning Tree Golf Course and those that live near the proposed site and truck routes.

FACT: "Noise pollution affects both health and behavior. Unwanted sound (noise) can damage physiological health. Noise pollution can cause hypertension, high stress levels, tinnitus, hearing loss, sleep disturbances, and other harmful effect"-

https://www.researchgate.net/post/What are the harmful effects of noise pollution

"continual noise sets off the body's acute stress response"-

https://www.science.org.au/curious/earth-environment/health-effects-environmental-noise-<u>pollution</u>

Kaw Valley stated in the narrative description that they plan to operate 12 to 24 hours a day and with noise levels at 97.3 decibels at the sight are extremely high. Even a quarter mile away the noise is higher than normal tones. Industrial noise should not be introduced where none presently exist if it is going to adversely affect those who would be subjected to it.

FACT: Traffic hazards on our rural roads: The Wisconsin Department of Natural Resources Industrial Sand Mining Strategic Analysis states: "Vehicular traffic on local roads will have an impact on the service life and condition of the roads. The degree of road deterioration will depend on the amount of traffic, the type of vehicles, and the design of the road" - Wisconsin Department of Natural Resources Industrial Sand Mining in Wisconsin Strategic Analysis for Public Review June 2016 https://dnr.wi.gov/topic/EIA/documents/ISMSA/ISMSA.pdf.

Heavy truck traffic on our county roads with no shoulders is an increased risk to those who frequent these roads. Accidents already occur on Hwy32 especially at the intersection of Hwy32 & 158th St. The narrow county roads have been, by resolution, exempt from commercial traffic for a reason. It is well known that this area is a favorite of bicyclist, motorcyclist, joggers, and horseback riders.

These brief research citations are just a few of the many, lengthy articles that can be found regarding the environmental impact of this type of operation. In the day and age, when we are encouraged to help keep our earth clean; when we understand more about how our bodies react to the environment in which we live and work; I cannot in good conscious support this activity in our neighborhood. This is a neighborhood. We may have larger yards than those in town, but it is our neighborhood. Our livelihoods, our investments, our respite come from this sweet spot in Leavenworth County. A sand pit will damage it.

Per the Leavenworth County website: "Leavenworth County Planning and Zoning department exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare..... The function of Planning & Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision Regulations and the policies set forth in the Comprehensive Plan"

The "maintain a desirable quality of life for all residents, protect our common environments" – is especially pertinent. There is a duty of those appointed and elected to protect those of us that have already invested into our community. After my research on sand pit processing, I urge you to vote NO in granting the special use permit for Kaw Valley Companies, Inc. the Lenape Sand Quarry based on the detriment to human health, the desecration of natural habitat, the potential for water pollution, the decrease population in bee colonies, the destruction of a recreational business (Burning Tree Golf Course), the decrease in property values (which will lower the assessed value).

Sincerely,

Echo Van Meteren

Affidavit of Publication

STATE OF KANSAS }
COUNTY OF
LEAVENWORTH }

SS

Tammy Lawson, being duly sworn, says:

That she is Tammy Lawson of the Leavenworth Times, a daily newspaper of general circulation, printed and published in Leavenworth, Leavenworth County, Kansas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 21, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Tammy Lawson

Subscribed to and sworn to me this

day of

Rebecca A. Broom, , Leavenworth County, Kansas

My commission expires: June 07, 2019

County of Leavenworth State of Kansas

NOTICE OF PUBLIC HEARING

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-19-008) for a Special Use Permit for extraction of raw materials: sand for Kaw Valley Companies, Inc – Lenape Sand Quarry; such use being listed in Article 19, Table of Uses, in the Leavenworth County Zoning and Subdivision Regulations.

The Special Use Permit (DEV-19-008) request is for the following described

property

The southwest quarter of Section 22, Township 12, Range 22 East and portions of the northeast and northwest quarter of Section 22, Township 12, Range 22 East of the 6th P.M., located in Leavenworth County, Kansas.

Request submitted by Kaw Valley Companies, Inc.

Address: 00000 Lenape Road/166th & Lenape Road

Parcel ID number: 235-22-0-00-004.00

The hearing will be held on Wednesday the 12th day of June, 2019 at 6:00 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas.

Further information is available for inspection during regular business hours in the Leavenworth County Planning & Zoning Department, located in the County Courthouse. All interested persons are invited to attend the meeting if they wish to comment on this request.

Jeff Joseph, Secretary

Leavenworth County Planning Commission Publish by 5/21/2019

Published in the Leavenworth Times, May 21, 2019.

00000267 00034244

Leav County - Planning & Zoning 300 Walnut Suite 030 LEAVENWORTH, KS 66048



Affidavit of Publication

STATE OF KANSAS } COUNTY OF LEAVENWORTH }

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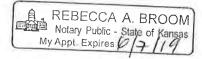
Jeff Joseph, Secretary

Leavenworth County Planning Commission Publish by 5/21/2019

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00000267 00034244

Leav County - Planning & Zoning 300 Walnut Suite 030 LEAVENWORTH, KS 66048



with truck traffic. The way I read that is, they have to have some kind of expert opinion on whether truck traffic would impair human occupancy or future commercial use of the property. ROCCA was required to reimburse the governing body of this case for all its expenses. That included engineering fees which should be substantional when we are talking about designing safe roads or intersections. The traffic safety study that we ask for, where is it? The agreement with the landowners, that is a great idea but how does it come about? We need a deadline for these requirements. I did not hear John Zoellner say that he Recommended this. I heard him say there was a need to address the traffic. Schools are also concerned due to school buses that will be picking up the children. We offered testimony in writing that would impair real estate value. We would like the application to be denied.

Jeff Burton – All the reclamation that is guaranteed is on the open pit mining that was done years ago. The traffic study was requested because of some commercial development that was proposed and then retracted.

These things have nothing to do with what we are doing here.

John Zoellner – The letters they gave me, referred by the appraiser said that the property value would be affected by 20 to 80%. There is a big difference between an 80% loss and a 20% loss. There was no documentation, only a piece of paper that says his signature. I had my house appraised and there were several of pieces of paper that went with that. They are asking us to accept a piece of paper from an appraiser that has no professional study on it.

Jeff Burton – All we are asking is for approval with the conditions stated.

Commissioner Maxwell – There are two things I would like to address. The standard of rock, do you have any idea of what rock is in the ground

Jeff Burton – We have done study that there is a portion that would fit the expectations of Geiger and others.

Commissioner Maxwell – We still have the Basehor/Linwood school district has been notified that there will be 200 trucks a day. How many trucks do you figure a day?

Jeff Burton − I do not have any real idea at this time.

Discussion on traffic through DeSoto

Commissioner Phillips – What times do you blast?

Jeff Burton - We blast on time in the afternoon. It would be between four and six in the afternoon

Commissioner Maxwell entertained a motion -

Commissioner Denney made a motion to deny SUP-02-017 due to the traffic

Commissioner Ewert seconded the motion

Vote was 5-4 to deny Motion denied.

The Board of County Commissioners will hear this on the 19th day of September 2002 at 1:30p.m.

Minutes in complete detail are on tape in the planning office in the basement of the courthouse.

- Trucks cannot be routed through the City of DeSoto without meeting requirements of the DeSoto City Council.
- 4. A site plan must be submitted to the County to obtain a building permit for placement of buildings and occupancy.
- 5. Permit good for 10 years.
- 6. Limit hours of operation from 7:00 a.m. to 7:00 p.m.
- 7. Applicant must enter into an agreement with a Community Association of local property owners to provide a framework for dispute avoidance and resolution.
- 8. The County shall adopt Blasting Regulations to address the permitting and use of explosive materials.
- 9. Applicant must comply with all County, State, and Federal regulations.

One other thing regarding the roads, we were concerned about going through DeSoto. We are still equally concerned about going down Loring Rd. It may be safer going through DeSoto then to go down Loring rd. DeSoto is in an Urban situation where they expect children to be and they are driving slowly. It is easier for them to react and they are expecting kids. When we were out on Loring Rd, there were children on bicycles, whether or not that is a good idea is irrelevant. The trucks will be moving faster and they will not expect children. Our concern is mainly traffic.

Does the Applicant wish to speak - Jeff Burton - I would like to commend the staff for their effort. The staff report brought the issues that were mentioned in the last two hearings. We will have no problem with the conditions that are set forth in the staff report. Under Emergency Preparedness-The concern on training personnel about mine collapse will be addressed by my safety health administration they will take care of that. Reclamation plan for underground mines, we do not have reclamation plans for underground mines but when it is needed it is administered by the state. The permit change to 10 years would be no problem, we will probably only need it for seven or eight years. Hours of operation we would request to change from 6:00a,m. to 8:00p,m. We are seasonal and this time of year when the sun is up we would like to start early. The agreement with the neighbors has worked well with us in Independence. What it boils down to is the safety issue on the roads. Our route which is somewhat designed would to be go back north. We have met with the city of DeSoto. They have some legitimate concerns and we will work through those. I do not see where that is a decision you have to make here, it is a Johnson County, DeSoto problem that we will work out with them. There have been two proposals in the recommendation, which we are agreeable to and one is that we post a performance bond. The second is that we pay a fee per ton along with the performance bond, we are more than willing to do. We are agreeable to all the recommendations so if there are any questions I can answer, I can do that now.

Commissioner Phillips – Am I correct that if we require you to improve the intersection at 158th that you are willing to do that?

Mr. Burton – If that is part of the fee per ton, yes we are. If it is over and above that, this is a short project, and I would like to get a handle on what you want and the cost.

Commissioner Phillips – I think John is proposing that we do this upfront prior to getting started so the improvements are already there.

John Zoellner – What improvements need to be done; You need to let them know if they should pay for it upfront or pay so much per ton and then go from there.

Testimony in Opposition of this proposal -

John Tillotson – (Handed out pictures of area around mine.) The conditions that Mr. Zoellner has mentioned for the most part are desirable conditions. I do not think they are specific enough or go far enough to protect the public. The reclamation plan has to be formulated upfront then guaranteed with a performance bond. I think this is something, The applicants would like to ignore by saying that normally there isn't any reclamation for an underground mine. I am not sure what the implications of that statement are. Certainly, we think that when you are going to deface the property in a neighborhood even if it is private property, this becomes a public issue and one that should be addressed. They should adopt a plan to do

foundations. Some felt vibrations once a day from the blasting. None felt that there were any negative impacts on property values.

I talked to a real estate agent who sells property in the area and she indicated that prices were increasing and there seemed to be no negative impacts from the mines. We received two letters from an appraiser and local real estate agent indicating substantial property value declines if an underground mine were approved. These letters offered no statistical evidence to prove their conclusions.

An agreement between the mining company and a Community Association of the local property owners was created to address any potential impacts of the mining operation. The property owners I talked to were generally satisfied with ROCCA's efforts to honor that agreement and the responsiveness of Jeff Burton to any issues that have occurred. From these conversations, I believe the fears raised by opponents are not occurring at the existing site.

As to the impact of mining on lakes and ponds, the mine in Independence is having a golf course with lakes built on top of the mine. There appears to be no concern of damaging those lakes. The mining company should be held responsible for damages under an agreement with surrounding property owners, similar to the one used in Independence.

Since the City of DeSoto has expressed their opposition to this application, I assume that trucks would be prohibited from entering the City. We should assume all traffic leaving the mine going east, north, and south will take 158th Street to Loring Road and East to Bonner Springs. Traffic going west will take Golden Road to 189th Street and jog North to Highway 32. While the culverts and bridges along these routes may be adequate, the routes are narrow with some dangerous curves. The applicant should provide specific actions that will be taken to make these routes safe. The possible actions would be widening the roads in some areas, turn lanes added in some locations, lowering speed limits in some areas, or required strict compliance with speed limits by trucks operating from the mine.

STAFF RECOMMENDATION:

The staff still has concerns about the safety issues caused by increased truck traffic. The staff recommends the following conditions be placed on any underground mining operations approved.

Conditions:

- 1. Emergency preparedness considerations:
 - Training of County personnel in mine collapse or confined space rescue.
 - Fence around site to protect from intruders.
 - Emergency action plan and site plan to emergency services—Fire Department, Sheriff's Department and Emergency Management.
 - Sign at entrance with emergency contact phone numbers.
 - Meet State guidelines regarding storage of explosives.
- 2. Environmental considerations:
 - A plan for noise and dust pollution control measures.
 - Maximum explosive charges allowed with seismic monitoring.
 - An engineered septic system for wastewater.
 - Storm water runoff detention to protect downstream properties.
 - A reclamation plan for the crushing and loading areas be prepared and approved by the County Commission prior to mining commencing.
 - A study on the impacts to endangered species by the Kansas Biological Survey.
- 3. Transportation considerations:
 - Applicant must obtain a Highway Permit: Use of Roads For Haul Route and submit the required guarantee of performance.
 - Improvements should be made by applicant at the following locations to improve safety:
 - a. intersection improvements on 158th at the property location;
 - b. right turn lane on 158th Street at Loring Road; and
 - c. widening of curves at 158th and Golden Road and 189th and Golden Road.

All improvements shall be as designed by an engineer.

- A fee per ton for road repair, monitoring, and training purposes shall be paid on an annual basis with an annual report indicating number of tons mined and the immediate assessment of a commercial Transportation Impact Fee.
- Vehicles used on the property will be licensed in Leavenworth County.

- need to know location of septic. There appears to be a well on the site. Rural Water District #6 advises that no additional water meters can be issued in their district until the completion of the approved water storage tank for Suburban Water Company located at Kansas Avenue and 24-40 Highway.

Staff Recommendation:

There are still a few issues to be resolved on this plat. We may request that it be tabled.

Commissioner Luse – All they are trying to do is find out the site of the septic

Does the Applicant wish to speak -

Testimony in Favor of this proposal - None

Testimony in Opposition of this proposal - None

Questions, comments, Commissioners -

Commissioner Maxwell entertained a motion -

Commissioner Luse moved to table Clawson Subdivision until all the information is present

Commissioner Denney seconded the motion

Commissioner Phillips amended motion to read until the location of the septic tank has been located

Commissioner Luse and Commissioner Denney accepted the amendment

Carried 9-0

Item No 7: Consideration of the application of a Special Use Permit (02-017) to operate an underground rock quarry on a tract of land located in the SE1/4 of Section 15, Township 12S, Range 22E and E1/2 of the SW1/4 of Section 15, Township 12S, Range 22E and that portion of the E1/2 of NW1/4 of Section 22, Township 12S, Range 22E. Submitted by Rocca Processing LLC. Property owners, Willard and Martha Olander.

Staff Report: Property Owners: J. W. and Martha C. Olander, 12421 158th Street, Linwood, KS. Kenneth R. and Patricia Tinberg have requested the removal of their property from consideration of this permit.

Location of property: North side of Golden Road generally between 158th and 166th Street
John Zoellner showed map of surrounding property owners at the operation in Independence, Missouri. (Insert in Minutes)

Issues Raised at Previous Meetings

The following issues were mentioned at the previous two meetings:

- 1. Noise of quarrying operations and trucks off-site;
- 2. Dust from quarrying operations;
- 3. Vibrations to structures from blasting;
- 4. Cracks and other damages due to blasting;
- 5. Impact on property values;
- 6. Integrity of mine operators;
- 7. Restoration of surface areas;
- 8. Impact to ponds and lakes from blasting;
- 9. Danger of increased truck traffic on narrow roads.

I have talked to seven of people who live near the underground mine operated by ROCCA in Independence, Missouri. The area has had previous open pit and underground mines, so these residents are very familiar with the impacts from mining operations. I specifically asked these residents about the above concerns. All heard minimal noise from blasting and none from actual mining operations. They had no problem with dust or cracks in

June 6, 2019

Dear MS Vicki Kaaz, Commissioner, 2nd District,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

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Sincerely,

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

KAREN J. REHM

17373 Metro Avenue Bonner Springs, KS 66012

June 25, 2019

Leavenworth County Commissioner

Attn: Vicky Kaaz, District 2

RE: SUP-Kaw Valley Sand Plant

I am writing in regards to the special use permit DEV-19-008 (SUP-Kaw Valley Sand Plant) for the Kaw Valley Companies for a surface mining and sand quarry located at 166th Street north of DeSoto, Kansas in Leavenworth County.

Cell: (913) 575-6164

I have been a lifelong resident of southern Leavenworth County and attended Basehor-Linwood schools. I travel this stretch of county roads daily to commute to work and assist with the care of my elderly parents who are adjacent property owners. I cannot imagine any benefits for Leavenworth County residents in approving this quarry. Have you traveled the proposed route these trucks are proposing to take? If so, you would know the dangers inherit for all concerned. These are not the roads to be shared with huge heavy semi-trailer sand trucks.

I am also concerned the effects the mining operation will have on the environment and the landowners surrounding it. Have you visited a current operating Kaw Valley sand mining plant (while in operation) to see the impact it will have on your County? Can you envision this at 166th where it is all farmland? The County is currently undertaking dust abatement on county roads. Why would you approve an operation of this magnitude for 20 years that will fill the entire area surrounding it with dust while you're abating dust on your roads?

As elected representatives of the County who will be voting on the approval of this quarry I ask that you do several things.

- . Please visit the existing Kaw Valley Sand plants at the following locations:
 - 9501 Woodend Road, Edwardsville, KS
 - 8440 Gibbs Road, Kansas City, KS
- . Visit the proposed site at 166th and imagine a sand quarry. Imagine what residents in the area will deal with.

. Drive the proposed route the trucks will take from the sand quarry. Then imagine a distracted driver pulling out from one of the side roads in front of a truck. Or an impatient driver trying to pass a truck on a blind hill and meeting a car. Or an inexperienced teen driver on a snow packed road. All very real situations that can and will happen with the amount of traffic these trucks will create. It would only be a matter of time. Serious and even fatal accidents will occur. This is not an operation for a few years but one for 20 years. Please think in the best interests of you residents. Please do not allow this to happen. As a resident of Leavenworth County I am asking you to vote NO on this permit/request by Kaw Valley Companies.

Sincerely,

of over heher

From:

Sloop, Stephanie

Sent:

Wednesday, June 12, 2019 3:42 PM

To:

Voth, Krystal

Subject:

Sand Plant Voicemail

Ms. Beau Ryva,

Left a voicemail expressing that she wanted all of the Commissioners to know that she is very against the Sand Plant coming in and she feels like there is misinformation on facebook about the use. She had several concerns Kaw Valley and the impact. She would like to put her vote in as no.

Stephanie Sloop

Public Relations and Planning Coordinator Planning and Zoning Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth. KS 66048 (913) 684-0465 ph

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:37 PM

To: Subject: Voth, Krystal Sand Plant

I received a call from Mr. Terry Sipp who stated he would like the meeting for the Sand Plant to be postponed due to the natural disaster.

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 3:38 PM

To:

Voth, Krystal

Subject:

Sand Plant

Mr. Jeff Hayes in the County stated he would also like the meeting for the Sand Plant to be postponed due to the tornado down in the Linwood area.

Thank you,

Melissa Johnson

Code Enforcement Officer II
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St. Ste. 212
Leavenworth, KS 66048
Phone (913) 684-0465
Fax (913) 684-0398
mjohnson@leavenworthcounty.org

From:

Johnson, Melissa

Sent:

Wednesday, June 12, 2019 8:58 AM

To:

Voth, Krystal

Subject:

Kaw Valley Sand Plant

Krystal,

I just received a call from Ms. Tammy Hane stating she would like to have the meeting postponed for the sand plant in southeast Leavenworth County due to the fact that so many down in that area have been impacted by the tornado.

I told her I would email and let you know.

Thanks,

Melissa Johnson

Code Enforcement Officer II Planning & Zoning Department Leavenworth County Courthouse 300 Walnut St. Ste. 212 Leavenworth, KS 66048 Phone (913) 684-0465 Fax (913) 684-0398 mjohnson@leavenworthcounty.org

Dear Commissioner:

I am writing this letter because of our concerns on the proposed Special Use Permit for the Lenape Sand Quarry on the Leavenworth County site near DeSoto. There are many concerns as well as a threat to the way of life in this area. This community has grown as residence are trying to escape the busyness and traffic of the city.

The biggest affect for us personally is the route of the large trucks to and from the sand plant. We understand that County Road No. 2 (158th St.) is being considered as a route to and from the sand pit. This would entail 240-360 truck passes per day, weighing between 25-30 tons during the 12-hour day the plant would be in operation. 158th is a road with lack of site, due to hills and curves; and no shoulder on either side. Truck prohibited signs and speed limits are not enforced on 158th St., South of K32.

Who does this effect daily besides the taxpayers?

The children getting on and off of school buses & the drivers- prior to additional proposed trucks being added to the traffic, the buses already are stopping in the middle of the two lane road in order to protect children from people going around the bus and to ensure oncoming cars are aware they should be stopping, in particular due to the curves and blind hills

Delivery drivers – Postal workers, UPS, Amazon, Sanitary workers just to name the few I have seen in the last week. Since there are no shoulders for these workers to pull onto, they are parked on the road in order to fulfill their responsibilities.

Residence picking up their mail and caring for their road frontage. We have had people hit just in the last year simply trying to get their mail. I can't tell you how scary it is trying to care for your road frontage on a blind hill with a ditch along side of the road, with cars, much less large trucks flying by you, not even sure if they see you. If we do not care for our road frontage, we have limited visual to see traffic when departing from our driveway.

Other drivers on the road – as we followed a large truck through the hills and curves of 158th St last weekend, I can show the video of the truck constantly bumping and going over the <u>yellow line</u> as these roads were not made for large trucks, much less trying to pass each other and other traffic.

Planning commissions recommend denial of sand permit

January 30, 2013

Both the Eudora and Lawrence-Douglas County planning commissions voted Wednesday to recommend definal of a permit application for Penny's Aggregate to develop a large sand pit mine along the Kansas River.

It will now be up to the Douglas County Commission to make a final decision in a vote tentatively scheduled for Feb. 27.

The Sudors planning group voted 4-0 to deny the permit. The vote on the Lawrence-Douglas County panel was 4-3 for

That represented a reversal for the Lawrence-Douglas County group, which voted narrowly in October to recommended approval of the permit, subject to several conditions. But it was a consistent vote for the Eudora planning group, which has been solidly opposed to the proposal all along.

Athough several concerns were raised during the lengthy public hearing, Eudora Planning Commissioner Johnny Stewart summed up the one issue that seemed most important in swaying votes; the choice between developing and marketing the occurity's natural resources, or protecting its most valuable farm land.

"to seems to be a competition between resources, whether it's land or sand," Stewart said.

Both of those goals are listed as priorities in the county's long range comprehensive plan, known as Vision 2020.

The proposal called for developing a sand pit on 434 acres near the Kansas River, north of Eudora. It was a rare instance when the application had to go before both planning commissions because the site is in an unincorporated portion of Douglas County, but within the three-mile extratemitorial jurisdiction of Eudora's zoning authority.

Penny's sells the sand for use in concrete mixes and other construction material.

"The big thing for me is the destruction of class 1 and class 2 soils," Lawrence-Douglas County commissioner Clay Britton said "It's a decision about which resource we want to have available for use "

The proposal has been before the county commission once but had to be sent back to the planning commission because of a tecranical error in the public notification process. Property owners on the north side the river in Leaverworth County were not notified of the earlier public hearings, even though they live within the 1,000-yard radius where notification is required.

Several Leavenworth County residents came to Wednesday's hearing to express objections to the noise that would be created. They asked for additional conditions to be attached limiting the level of noise and the hours of operation for the pit.

Others who testified including the city of Eudora, raised concerns about the impact the pit mine would have on the stability of the river bank and the potential for groundwater contamination in the event of another major flood on the river.

Barbara Paulus

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

May 12, 2019

Leavenworth County Planning Commission 300 Walnut Street Leavenworth, KS 66048

Re: Case No. DEV-19-008 (Kaw Valley Sand Plant)

Request for full evaluation of threats to endangered and threatened wildlife species by the U.S. Fish and Wildlife Service and the State of Kansas prior to granting a special use permit.

Request to the Planning Commission

I am requesting an immediate delay in the evaluation of the special use permit to Kaw Valley Companies for the tract of land located in the southwest quarter of Section 22, due to the possible violation of the U.S. Endangered Species Act, the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Lacey Act and other local, Kansas and federal protection laws or ordinances.

There is enough evidence compiled to presume probable cause that the proposed sand mining operation would be in violation of the Bald and Golden Eagle Protection Act, and possibly other federal and state laws.

Background

A preliminary review of the wildlife and bird population, and an inquiry into research done by Kansas State University of the proposed site for the Kaw Valley Sand Plant and the surrounding area have revealed several possible violations of Bird and Animal protection laws that are meant to preserve the habitat and nesting areas of endangered, threatened or vulnerable species.

Bald and Golden Eagles

Bald and Golden Eagles have been documented as nesting in the area surrounding the proposed Kaw Plant. One was sited June 10 during a visit to the Burning Tree Golf Course (see Figure 1). Many nests and juvenile and adult eagles have been observed and photographed over the years in trees in the vicinity.

Barbara Paulus

13921 166th Street, Bonner Springs, KS 66012 (913)-526-0896 BarbPaulus1@gmail.com

Act."

(https://www.fws.gov/midwest/eagle/conservation/baea_nhstry_snstvty.html)

f. Current agricultural planting and harvesting would not be of concern to the eagles due to the time period of the activities (not during nesting and raising of the young), and due to the temporary and relatively short duration of the noise and the visual activity. The sandpit however, would operate throughout the year including during the most vulnerable time for nesting and raising young.

Other Protected, Threatened or Vulnerable Wildlife

- 1. Hognose Snake: (See Figure 2)
 - a. Both the Western and Eastern Hognose snakes are considered threatened in Kansas. https://ksoutdoors.com/Services/Threatened-and-Endangered-Species/Western-Hognose-Snake
 - b. Habitat protection is paramount per the KS Dept. of Wildlife, Parks and Tourism https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife/All-Threatened-and-Endangered-Species/Western-Hognose-Snake
 - c. Snakes located on a property adjacent to the Kaw Valley proposed project have been the subject of documented research by the Kansas Dept. of Wildlife, funded by a grant from Kansas State University due to the species' threatened status and relative rarity in Eastern KS.
 - d. The snakes have been spotted recently and repeatedly at Burning Tree Golf Course, and their feeding and nesting grounds include the surrounding areas including the agricultural fields that Kaw Valley proposes to convert into a sand pit.
 - e. This snake needs grasslands and sand to survive, and is very sensitive to vibration. The destruction of adjacent grasslands/feeding grounds and the impact of dredging and blasting, truck and machinery operations will destroy the habitat of the existing Hognose snakes.

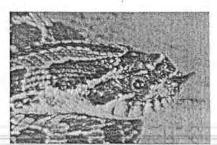


Figure 2 Western Hognose Snake, KS Dept. of Wildlife

2. Yellow Billed Cuckoo (see Figure 3)

Dear Planning and Zone Board Members and Commissioners,

We would like to advise, this has not been very easy to absorb the shock of this issue. We are not sure how the businesses and residents of our lifelong county are to be informed of this kind of issue, however finding out the news about a sand plant on Facebook, by a member of our business, was quite alarming on April 25, 2019.

There are many concerns we have for this sand plant project:

Natural Wildlife

- We have contacted Kansas State University and the Kansas Department of Wildlife to
 assist us with a hognose snake which was researched on the grounds of Burning Tree.
 This research was funded from a grant given from Kansas State University, for this snake
 that is threatened and endangered species, to our grounds in the state of Kansas.
- O Kansas State Wildlife extension office of Johnson County and the Kansas Wildlife headquarters in Pratt, Kansas, and the Secretary of State, are trying to locate the research. They advised me on Tuesday, June 11, 2019, that they need time to find the records and research. The head of Ecological Services, Chris Barrows in Pratt, is working on this, but director of Kansas State University extension office in Olathe has advised, we should ask for an extension for this hearing. Neither entity will be able to have the research available to meet this deadline.
- o This snake has been identified and seen on the grounds in the last year, by a golfer who was quite concerned, when their ball landed in the sand, where this snake was sunning.
- O Bald eagles fly daily, over the Burning Tree Golf Course, and fishing the river for food. These eagles have nested on the grounds of Burning Tree and along the river to the east and west of our property lines. They are very territorial and chase other large birds from the property. Many people come to patronize our course to enjoy the in-flight eagles above our leased property. Many pictures have been taken frequently, with the last known occurrence was cited by a golf course visitor and myself, on Monday, June 10, 2019. He was an adult bald eagle flying over our green. Pictures do tell the story and date/time of this occurrence.
- Additional bird wildlife, which was identified and pictures taken was totaled at 33+ different species. These sightings of bird occurrences took place on Monday, June 10, 2019.
- We have contacted the Kansas Wildlife, to advise of our concerns. The National Bald Eagle Act has been attached.
- O White Tailed Squirrels are quite common on the golf course. The Kansas Wildlife was not aware of these squirrels on our property. However, this squirrel is here year after year and not been seen anywhere else in Kansas. This squirrel has been named Bernie, by a young golfer, as our mascot.
- O Please provide an extension, so that Kansas State and our Kansas Wildlife can complete their research on the hognose snake in which is a threatened and endangered species, on our grounds.
- Various other wildlife, including large Black Snakes that protect our course from venomous snakes as well as small rodents. Our 7 foot black snake's name is Charlie and no golfer disturbs his presence and he likes watching the game while sunning.

Golf Course Members and Patrons of Burning Tree

O Please consider the elements of a tranquil and serene wildlife environment for the pleasures of thousands of golfers a year. Our rounds of golf equals over 15,000 for last year's attendance. Yes, that is why many golfers visited Burning Tree. People from all

- the blowing sand in their face, hair, clothes, golf bags and clubs, and their personal vehicles.
- o Sand will become airborne, throughout the area. Making breathing difficult for many people and wildlife. We have not been given details about this, however, most sand plants do require employees to follow safety issues required by law.

Traffic Concerns

- A traffic study was completed and it is extremely concerning. These trucks must be allowed to use our rural roads of Leavenworth County, finding the closest route to a Kansas funded hi-way. Our two Kansas hi-ways are K-10 in De Soto at Kill Creek and Lexington Ave in De Soto and K-32 to the north of Burning Tree, which runs from Linwood, through Bonner Springs, and Edwardsville. City of De Soto has requested for the trucks to not cross the bridge. These routes will endure in a 12 hour day, around 400 sand filled trucks, and return to the site, for additional trips. These plants, sometimes run, 24 hours a day, creating twice the truck traffic 3) sand trucks causing backups at the railroad crossing; for any and all persons.
- o Truck traffic will make all forms of travel, dangerous, (cars, bicycles, motorcycles, busses); safety for our children of our community who ride school busses, to and from school and who wait at the road for pickup; safety for people traveling, to and from work, using the KS river bridge to cross from Leavenworth Co. to Johnson Co, or visa versa
- Our taxpayers will endure repairing/replacing the roads and bridges; All routes to/from this location cannot handle the turning of semi's and the weight of these trucks at 80,000 lbs.
- Vehicle safety for the golfers who use 166th to access and exit Burning Tree for play.
 Also for the children who are enrolled in the Optimist Academy
- Also for our young high school golfers and school coaches and families, who use our facility with school participation of golf.

Lastly, my family has been living in Leavenworth County for over 75 years and my entire immediate family have always supported the community, local businesses, schools, and our local government. This topic has been extremely difficult for our family, due to our commitments all inside Leavenworth County jurisdiction. Always, living in Fairmount Township and working in Leavenworth till retirement and now our business in Sherman Township, of Leavenworth County. We are extremely committed to the county with all of which we spent inside the borders of this county, while we participated lifetime schools for generations, University of Saint Mary's, employment between both spouses, present planning and zoning commissioner, today's president of Basehor Pride, and hundreds of hours of volunteer work, providing opportunities for many others through our work in our communities. Please consider the quality of life of our citizens have enjoyed throughout the years. As recovering from a tragic accident with hours and hours of therapy, at hospitals & rehab office visits, for the past 16 months and released, in April. I'm sorry for this late email, however the time frame of collecting my facts was not adequate.

Sincerely yours,

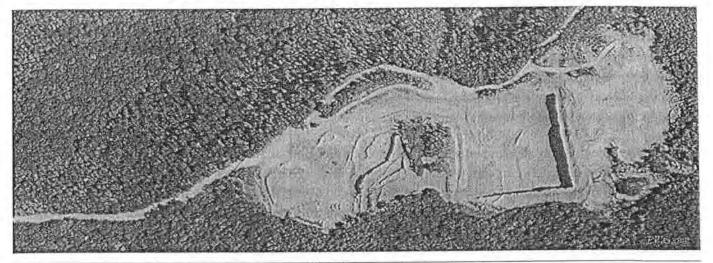
Stephanie Swenson

General Manager; GreatLife Golf & Fitness at Burning Tree; 11578 166th, Linwood, KS





Home > Research > Health Concerns for Silica in Outdoor Air



Danger in the Air

SEPTEMBER 25, 2014

Health Concerns for Silica in Outdoor Air

DANGER IN THE AIR: HEAPOTH BOOK ON CHANGE IN

OUTDOOR AIR

Introduction

Mining, processing and transporting sand generate large quantities of silica dust, which is notorious for the damage it does to the lungs and respiratory system when inhaled. In recent years, the dramatic expansion of hydraulic fracturing and horizontal drilling technology to extract gas and oil, commonly called "fracking," has led to boom in sand mining across the upper Midwest, creating a significant public health threat in the region.

None of the states at the center of this "frac sand" mining boom have adopted air quality standards for silica that are adequate to protect people living or working near the scores of recently opened or proposed mining sites. The growing danger of airborne silica is especially acute for children and other vulnerable populations.

Silica can impede breathing and cause respiratory irritation, cough, airway obstruction and poor lung function (Rego 2008). Chronic or long-term exposure can lead to lung inflammation, bronchitis and emphysema and produce a severgilling disease known as silicosis, pofergeof pulmonary fibrosis (Hnizdo 2003).

The concentration of silica in the air is often estimated based on the percentage of crystalline silica in a given sample of PM10, PM4 or PM2.5 particles (100) 2001; Davis 1984; EPA 1996). Depending on the source, the level of silica in inhalable particulates corrected at quarries and sand pits can be as low as 1-2 percent or as high as 95 percent of total particulate will be (Environment Canada 2013).

When tiny silica particles lodge in the alveoli, they cause an ongoing inflammation that damages lung tissue and causes scarring and fibrosis, a precursor of silicosis and lung cancer (IARC 2012). Freshly crushed silica is more damaging to the respiratory system and produces a more severe inflammatory response than "aged" silica particles of the same size (Shoemaker 1995; Vallyathan 1995). Breathing sharp, freshly-cut sand dust, such as silica at sand mining and processing sites, carries a greater risk of pulmonary disease than breathing older, smoother particles weathered by heat, wind, and moisture — such as silica dust blown from cropland.

There is no federal standard for ambient air exposure to silica outside the workplace. Based on occupational data, the EPA came up with a health-protective benchmark for crystalline silica in PM10 particles of 3 micrograms per cubic meter (μ g/m3) (Gift 1997; US EPA 1996). Crucially, however, EPA's benchmark did not consider the risks of exposure to vulnerable populations such as children or people with respiratory disease. The federal air quality standard for long-term exposure to PM2.5 for the general population is 12 μ g/m3 a year, and the 24-hour, or acute, PM10 standard is 150 μ g/m3 (US EPA 2014).

State exposure limits are inadequate to protect children's health

Silica exposure is a well-known danger for workers in mining and construction. With the spread of frac sand mining, however, silica air pollution has also become a danger for residents near sand mining and processing operations. Children, older adults and people with respiratory diseases are especially at risk. In the absence of a national air quality standard for silica outside the workplace, six states have developed their own standards or guidelines.

State	Calif.	Minn.	New Jersey	Texas	Vermont**	New York**
Limit (µg/m3)	3	3	3	2	0.12	0.06
Type of limit	chronic reference exposure level	chronic health- based value	long-term reference concentration	chronic reference value	hazardous ambient air standard (annual)	annual guideline concentration
Measured as	PM4	PM4	PM10	PM4	PM10	PM10

Table 3. State exposure limits for crystalline silica in air*

^{*} Long-term exposure limits for general population based on the risk of silicosis.

^{**} General population exposure limits derived by state agencies from occupational exposure values established by the American Conference

toxicants and to chemicals that affect the immune system. The California, Minnesota and Texas silica exposure levels all disregarded potential vulnerability children to air pollutants such as silica.

Applying both the three-fold and 10-fold adjustmentagetors, EWG calculates that a truly health-based value for silica exposure in outdoor air should be no higher than 0.3 µg/m3, and it may need to be lower.

To date only Vermont and New York have met this threshold. Both states have, in fact, set even more stringent silica exposure guidelines of $0.12~\mu g/m3$ and $0.06~\mu g/m3$, respectively. In setting those limits for silica in ambient air, New York and Vermont used a different method than California or Texas. Both started from occupational exposure limits and applied an adjustment factor of 100~(10~x~10). This combined factor of 100~takes into account the inherent toxicity of silica and the variable vulnerabilities of the population.

How much silica are communities near frac sand mines breathing?

Data on air pollutants near the Midwest's burgeoning sand mining and processing plants are limited. Detailed air monitoring studies are critically needed to track the levels of airborne silica and other air pollutants near sand mining and processing operations and along the routes driven by trucks transporting the sand. Such studies should measure both airborne silica levels and how far silica and other air sand-mining pollutants travel on the wind (WDNR 2012).

One study of a sand and gravel facility in California found that at 750 meters (almost half a mile) downwind, the furthest point monitored, the level of silica in the air was twice as high as at an upwind site (Shiraki 2002). The silica content in particulate matter samples decreased from 33 percent at the plant itself to 10 percent at 750 meters away (Shiraki 2002). EWG recommends that air quality should be monitored at up to 1,500 meters (almost a mile) from sand mining and processing facilities. Monitoring at even greater distances may be necessary if significant quantities of silica are found at 1,500 meters downwind.

EWG's accompanying interactive map of existing or proposed frac sand operations in a region that spans parts of Minnesota, Wisconsin and Iowa identifies zones of concern at distances of 750 meters and 1,500 meters from each site. The potential risk of airborne silica at any given location depends on both the size of the site and the type of activity. A 1,500-acre open-air sand mine would generate more silica dust and disperse it over a wider area than an indoor processing facility or a railway loading station. The mapped zones of concern should be considered only as indicators of potential risk. Further research may indicate that these zones should be larger.

Analyzing estimated silica levels near frac sand sites

In January 2013, a research group from the University of Wisconsin-Eau Claire did a study of PM2.5 particle pollution near sand mining and processing operations. The choice of PM2.5 particle size was based on several factors. First, these smaller particles are more toxic to the respiratory system. Second, PM2.5 particles are encompassed in the California, Minnesota and Texas silica limits based on PM4. In contrast, the larger PM10 size would include many particles that are excluded from the limits set by California, Minnesota and Texas. Finally, there is a federal PM2.5 annual standard for the general population that corresponds to chronic open-air exposure, but there is only a short-term exposure standard for PM10 particles (US EPA 2014).

(/12/2010

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Parks CG, Conrad K, Cooper GS. 1999. Occupational exposure to crystalline silica and autoimmune disease. Environ Health Perspect 107 Suppl 5: 793-802.

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My wife and I sent this letter to all 5 county commissioners and as you. I have one request before you vote on the sand plant special use permit: would it be possible for every voting member to travel the proposed truck route and visit the site before you make a vote that is beneficial to the citizens of this county? If this is not possible before Thursday June 12th would not be in everyone best intrest to postpone the meeting till this has taken place? Thank You, 17322 Golden Road Linuxod, Ks. 66052 816-807-2076

June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lemape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, as phalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

We want answers please,

June 6, 2019 JUN 1 2 2019

Dear Mr. Jeff Joseph, Director, LV Co. Planning and Zoning,

l am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

Sincerely:

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

From:

Joseph, Jeff

Sent:

Monday, June 10, 2019 7:42 AM

To:

Voth, Krystal; Sloop, Stephanie

Subject:

FW: Request to delay sandpit hearing

From: Barbara Paulus [mailto:barbpaulus1@gmail.com]

Sent: Friday, June 07, 2019 7:29 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Request to delay sandpit hearing

Mr Joseph:

Please forward this email and the attached photos to the Planning Commissioners.

As I am certain you know, our part of the county-Linwood and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Many of us had direct damage to our property due to wind, water and debris (sharp large pieces of tin fell from the sky). Besides protecting life and searching for and helping victims, our community members had to immediately stop further damage to their homes, relocate families to other housing if necessary, move trees and debris just to get out of their homes and garages. Electricity, gas, cell coverage and landline outages lasted for days for many of us. Food and water was delivered to workers and volunteers.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives-farming, going to work and school, taking care of our families. I have attached photos taken yesterday of my community-9 days after the tornado. You can see that there is tremendous damage, as well as debris and road blockages.

It will take months to get back to normal here.

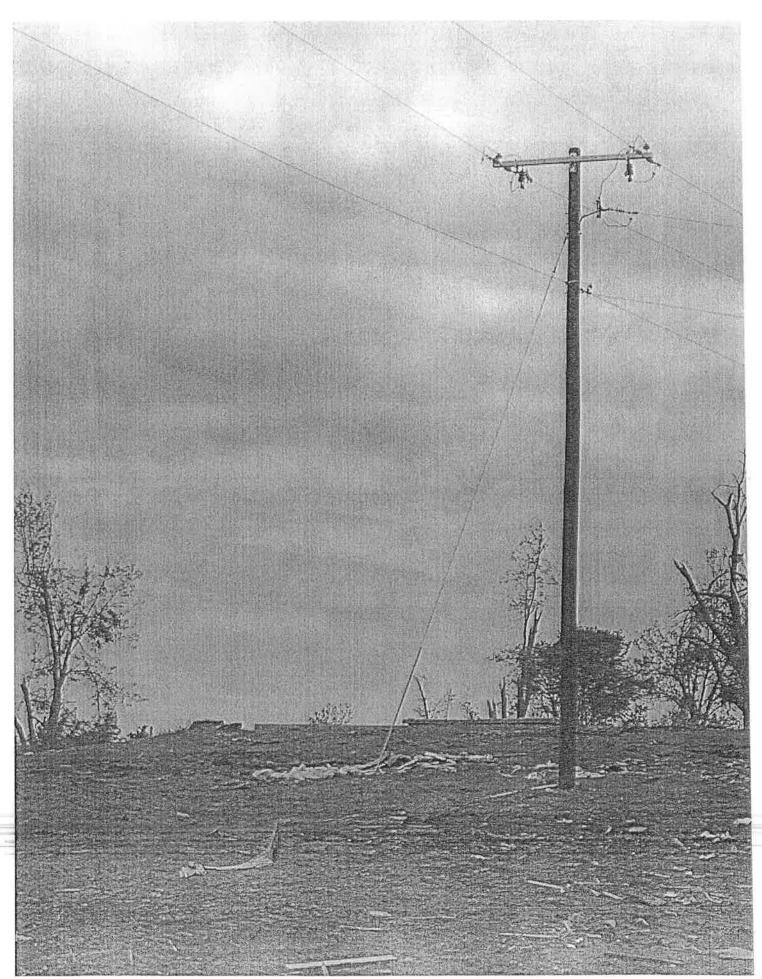
We understandably have not had the time to do the research and give proper thought to the proposed Sand Pit.

That is why I am asking that the hearing on the Sandpit for Kaw Valley originally scheduled for June 12th be delayed.

Barb Paulus 13921 166th St. Bonner Springs 913-526-0896

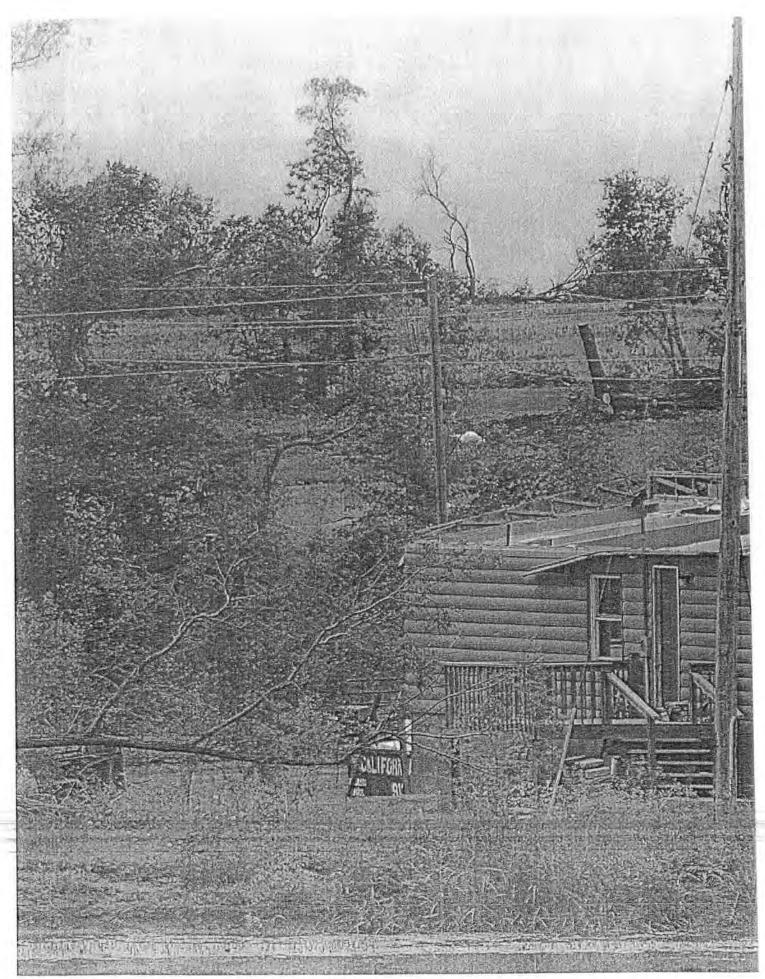
Sent from my iPad by Barb Paulus 913-526-0896

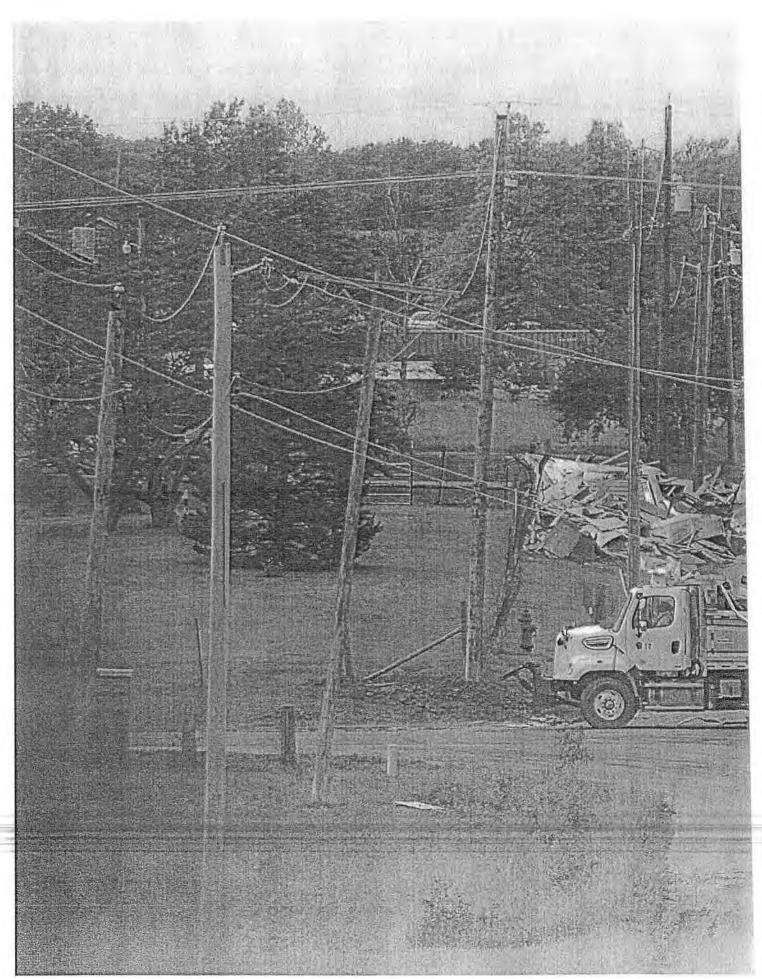












Echo Van Meteren 12400 170th St Linwood KS 66052 913-683-4939 fairecho@gmail.com

Leavenworth County Planning Commission

Leavenworth, KS pz@leavenworthcounty.org

Dear Planning & Zoning Directors and Planning & Zoning County Commissioners,

I am writing to you today regarding a public hearing for a Special Use Permit submitted by Kaw Valley Companies, Inc. Address: 00000 Lenape Road/166th & Lenape, Parcel ID Number: 235-22-0-00-004.00:

As you can tell by my address I live near the proposed quarry. We moved here four years ago because we fell in love with the peaceful country setting. We went to work cleaning up the 24-acre property. We planted nearly 100 fruit trees and have a large 1200 sq. ft garden each season. From the time of the last frost to the first frost we are outside working. This property provides food for my family all year long. The long-range goals were to have an established orchard and gardens that would produce enough goods to sell at the Farmer's Market.

When I received the notice of the hearing, I was interested in learning exactly what the process of extracting raw materials would entail and how it would affect the area. I went about researching the process. What I found was somewhat surprising.

Aesthetically, an open sand pit processing plant does not fit into the surrounding built environment; a golf course, farms, and residential properties. Those requesting the special use should "fit" into the aesthetics of the built environment. Beyond the aesthetics, there are serious health factors to consider.

FACT: Diesel emissions cause cancer "IARC classifies diesel engine exhaust as "carcinogenic to humans," based on sufficient evidence that it is linked to an increased risk of lung cancer. IARC also notes that there is "some evidence of a positive association" between diesel exhaust and bladder cancer".Jul 27, 2015

https://www.cancer.org/cancer/cancer-causes/diesel-exhaust-and-cancer.html

FACT: Diesel emission cause confusion in bees. Studies show that the diesel emissions will reduce the bee population.

https://www.denverpost.com/2013/10/03/diesel-fumes-baffle-bees-study-shows/ "Diesel exhaust fumes alter the flowery smells that guide bees when they forage, potentially sending them off course and putting the food-growing industry at risk, a study said Thursday. This in turn, threatens the insects' crucial role as key pollinators of human crops. "Somewhere in the region of 70 percent of the worlds crops require pollination service, and...about 35 percent of our current food production is reliant on pollination," study co-author Tracey newman of the University of South Hampton told a press conference ahead of the report's release in the journal Nature

Heavy truck traffic on our county roads with no shoulders is an increased risk to those who frequent these roads. Accidents already occur on Hwy32 especially at the intersection of Hwy32 & 158th St. The narrow county roads have been, by resolution, exempt from commercial traffic for a reason. It is well known that this area is a favorite of bicyclist, motorcyclist, joggers, and horseback riders.

These brief research citations are just a few of the many, lengthy articles that can be found regarding the environmental impact of this type of operation. In the day and age, when we are encouraged to help keep our earth clean; when we understand more about how our bodies react to the environment in which we live and work; I cannot in good conscious support this activity in our neighborhood. This is a neighborhood. We may have larger yards than those in town, but it is our neighborhood. Our livelihoods, our investments, our respite come from this sweet spot in Leavenworth County. A sand pit will damage it.

Per the Leavenworth County website: "Leavenworth County Planning and Zoning department exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare...... The function of Planning & Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision Regulations and the policies set forth in the Comprehensive Plan"

The "maintain a desirable quality of life for all residents, protect our common environments" — is especially pertinent. There is a duty of those appointed and elected to protect those of us that have already invested into our community. After my research on sand pit processing, I urge you to vote NO in granting the special use permit for Kaw Valley Companies, Inc. the Lenape Sand Quarry based on the detriment to human health, the desecration of natural habitat, the potential for water pollution, the decrease population in bee colonies, the destruction of a recreational business (Burning Tree Golf Course), the decrease in property values (which will lower the assessed value).

Sincerely,

Echo Van Meteren

Timberg Living Trust 16104 Golden Asad Linwood, Ks 66052 County of LEAVENWORTH State of Kansas LEAUENWORTH COUNTY PLANNING COMMISSION LEAUEN NORTH COUNTY COMMISSIONERS Sirs: WE ARE WRITING YOU IN REGRED to the PERMIT (DEV-19-008) Sought by KAW VALLEY Companies, IMC. - LEMADE SAND QUARRY FOR OPEN PIT MINING NEVE TO # 235/ 22-0-00-004.00.

WE ARE SENIOR CITIZENS IN OUR EIGHTES, AND
have lived in this home since 1957. When we moved
here it was remote and private. There was not
a bridge over the Kaw River, and All Roads in
the Aren were dist roads. Since then, the bridge
lending off liber street to Desoto was built, and
lending off liber street to Desoto was built, and
our property was cut in two to build Golden
our property was cut in two to build Golden
Road and 1584 street which today is a virtual race
track at times a narrow winding Road with no
track at times a narrow winding Road with no
track at times a narrow winding road with no
track at times a narrow winding road with no
track at times addition of 200 plus heavy
shoulders. We feel the addition of 200 plus heavy
trucks making round teips per day would damage our
trucks making round teips per day would damage our ROADS AS WELL TAS CAUSE CONSIDERABLE ACCIDENTS, ESPECIALLY ON the present bridges and intersections, which are dangerous at present, AS A past School bus driver, WE GREATLY WORRY
About the Students getting on and off the buses
Along the proposed Router!
We have adjusted to All the changes since 1957, but feel it would be hard to Accept the dust, Noise, danger AND DESECRATION of the Lord's EARTH PROPOSED I'M this PERMIT UNDER CONSIDERATION. If you Board members ARE Not familiar with this site, we used you to visit it - A bEAUTICH, tranquil part of LEAUENWORTH County, WE ASK you to CHERY this permit. LEHUEHWORTH COUNTY couldn't possibly make Enough income from this Enterprise to make the the dangers and havor this would cause. Thank you for your consideration, Henneth R. Jinling KENNELL R. TIMBERG -

PATRICIA M. Timberg - Patricia M. Linkey

From: Tinberg Farms LLC <tinbergfarmsllc@hotmail.com>

Sent: Sunday, June 09, 2019 9:00 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; Smith, Doug; Stieben, Mike; PZ; Loughry,

Mark; Kaaz, Vicky; Schimke, Chad; Loughry, Mark

Subject: Special Use Permit - Kaw Valley Company - Lenape Quarry

Attachments: AFT Farms Under Threat May2018 maps B_0.pdf; silica dust 2.pdf

To Planning & Zoning Board Members and Commissioners,

My name is Mark Tinberg. I reside at 16904 Kreider Road, Bonner Springs, KS. I've been a lifelong resident of Sherman Township in southern Leavenworth County.

My parents reside at 16104 Golden Road, which is on the north side of Golden along the proposed Kaw Valley Company truck route. They have lived at this location for 62 years. In those 62 years, they have witnessed many accidents including fatalities on the narrow, winding, deep ditches and steep road banks with NO shoulders all the way to K32 highway. Golden Road and 158th street were not designed nor is the structure built to handle the load and frequency that would be imposed on it. The bridges that are now in place are rated at 15 tons or less. These trucks will be weighing 40 tons plus. Are you planning to stick the tax payer with the burden to upgrade the roads and bridges so that big business can profit at our expense? At 158th & K32, there are frequent accidents which have included fatalities. This intersection has limited sight both east and west bounds making it a dangerous intersection for passenger vehicles, let alone adding the extra traffic of heavy loaded sand trucks.

I've driven heavy trucks for 40 + years including an 18 wheeler which I transport grain with to Kansas City. There is absolutely no way to turn North on 166th from Lenape Road or East on Golden Road from 166th without swinging wide into the oncoming lane in order to keep the trailer wheels on the road.

I have been a farmer my whole adult life, farming the ground on three sides of this proposed pit. My parents, my wife and I own the ground on the west side, we lease the ground on the east side. In the 42 years that I've been farming full time, I have lost lease on a total of 625 acres due to sand pit mining, industry and housing development. This is an epidemic and going to become a real problem for our country and the world. Farmers feed the whole world and without the land it can't be done. See attached document for more information. I farmed beside a sand pit for several years and have seen the operation first hand. It totally destroys the land and its gone forever. No matter how hard they try to control the dust it will blow. OSHA has acknowledged how hazardous silica dust is for humans. This is concern for the residents that live close to the project. We will have to endure breathing silica dust for the next 20+ years. See attached document.

There is no rural water system near this proposed pit. The homeowners are on private wells and are concerned about the water quality. Kaw Valley will be dredging into our water table and giving contaminates direct access.

I've read your mission statement. If you approve this permit, you will be going against your very mission. This project is not only going to affect the people around it but everyone along the route.

Before you vote on this, I'm asking you to personally view this site, drive the route (in a big truck if possible) and go look at some of the sand pits in the area. It's only fair to ask this of you since you are representing the people of this county. This project will impact us the rest of our lives. Take a minute and put yourselves in our shoes, would you want this in your front yard?

Thank you for your time.

From: Tracy Tinberg <tracytinberg@hotmail.com>

Sent: Sunday, June 09, 2019 7:44 PM

To: Joseph, Jeff; Voth, Krystal; Sloop, Stephanie; PZ; Loughry, Mark; Smith, Doug; Stieben,

Mike; Kaaz, Vicky; Schimke, Chad; Loughry, Mark; culbertson@leavenworthcounty.org

Subject: FW: Special Use Permit (DEV-19-008) - Kaw Valley Company

Attachments: silicia dust 1.pdf; AFT_Farms_Under_Threat_May2018 maps B_0.pdf; silica dust 2.pdf

Dear Planning and Zone Board Members and Commissioners,

As you are fully aware, the SE Leavenworth community is concerned about having a sand quarry operation in this part of Leavenworth County.

My husband and I farm for a living. We farm on three sides of this proposed project, two of which we own and we lease the third property. Yes, this ground does have pockets of sand which is desirable by many companies. However, my question to you is at what cost do you allow greed to take away the much required and need commodity of FOOD....NO FARMLANDS = NO FOOD. Below are a few quotes from American Farmland Trusts report Farms Under Threat, The State of America's Farmland, dated May 9, 2018. Reports & Articles are attached for you reading pleasure.

- "America today is losing agricultural land at an alarming rate 175 acres every hour, 1.5 million acres every year." See attached links for reports and articles.
- "In the next 15 years, 1/3 of America's farmland and ranchland will likely change hands, as current landowners age and sell. Land is most at risk of being converted to a non-agricultural use when it is sold."
- "We need farmland to grow our food and the demand for food will only grow. Experts predict that we will need to increase food production by 60% by the 2050".
- "The future demands that we do all we can to 1. Protect farmland, 2. Promote sound farming practices, and 3. Keep farmers on the land."

Leavenworth County has highly fertile river bottom and creek bottom land. Leavenworth County is known as an agricultural county and should be extremely proud of that fact. In the Planning & Zonings own mission statement states ".....exists to create and maintain a desirable quality of life for all residents, protect our common environments, and to promote the public health, safety, and welfare. Our first and foremost desire is to work with our citizens in a way that meets their aims, goals, and ambitions. Through your elected officials, you shape the regulatory environment and our land use patterns and habits. The function of Planning and Zoning is to protect the health, safety and welfare of County residents by enforcing the Zoning & Subdivision of Regulations and the policies set forth in the Comprehensive Plan." From what I can determine, the sand quarry is not a fit for SE Leavenworth County.

As for the safety concerns, these chip and seal county roads have no shoulders, deep ditches, and are at most 2-3" thick. These "designated" truck routes will crumble rapidly with the constant abuse of up to 200 loaded trucks per day weighing 80,000 lbs, plus the returning empty trucks. Sure the county will get an annual road impact fee and a few bridges fixed finally but that's what our tax dollars are supposed to be doing but the county can't even maintain the roads with daily passenger vehicles, buses and the occasional wayward truck. Who's going to do the maintenance?

Speaking of maintenance, according to the DOT during the past 24 months Kaw Valley Companies has 31 violations, which 29 is truck maintenance violations which includes no or defective parking brake system, brake connections with leaks or constrictions, inadequate brakes for safe stopping, brakes out of adjustment, steering system components, inoperative turn signal, universal joint loose/broken or missing component. Do you really want this company driving on the same road as our precious cargo, our families and friends?

From:

Thomas Schram <thomasschram28@gmail.com>

Sent:

Wednesday, June 12, 2019 11:23 AM

To:

P7

Subject:

Sand pit

Dear members of lv planning and zoning, as so very many of us affected by this decision are also suffering serious damage from the tornado I would plead wit you to reschedule the meeting to a week or two farther and give us a chance to recover, many affected can't even live in their homes currently.

Thank you

Thomas Schram

From:

Steven henness < hennesss@yahoo.com>

Sent:

Wednesday, June 12, 2019 8:17 AM

To:

PΖ

Subject:

Delay of Hearing for the Proposed Sand Quarry

I support the request for delay of the hearing for the proposed sand quarry near the Burning Tree Golf Club at 166th St and the Kansas River.

Thanks, Steve

Steven Henness 20108 Golden Rd. Linwood, KS 66052

From:

southcounty <southcounty@aol.com>

Sent:

Monday, June 10, 2019 7:13 PM

To:

Joseph, Jeff

Cc:

Voth, Krystal

Subject:

Request to delay sandpit hearing

To: jjoseph@leavenworthcounty.org

Subject: Request to delay sandpit hearing

Please forward this email to the Planning Commissioners.

As you know, our part of the Leavenworth county-Bonner Springs and Sherman Township-suffered a devastating tornado on May 28th. It was an EF4 and a mile wide. Debris was reported 50 miles from the tornado's path.

Most of us had direct damage done to our property due to wind, water and debris. Besides protecting life and searching for and helping victims, our community members had to quickly act to stop further damage to their homes, and remove trees and debris just to move safely around homes and garages. Finding help and clearing was even more difficult if disabled.

Electricity and cell coverage was out and lasted for days for many of us.

Now we are in the cleanup and recovery phase. We are starting to get back to our lives--farming, going to work and school and taking care of our families.

It will take many months to get back to normal around here.

We have not had the time to do the research and give proper thought to the proposed Sand Pit proposal.

I am asking that the hearing on the Kaw Valley Sandpit originally scheduled for June 12th be delayed.

Thank you, Joanne Erickson Bonner Springs Kansas 66012 913 220 8565

From: Joseph, Jeff

Sent:Monday, June 10, 2019 7:42 AMTo:Voth, Krystal; Sloop, StephanieSubject:FW: Kaw Valley Lenape Sand Quarry

From: Maureen Ross [mailto:mamaross7@gmail.com]

Sent: Friday, June 07, 2019 11:38 PM

To: Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: Kaw Valley Lenape Sand Quarry

Mr. Joseph,

We understand by sending you this email you will forward it to the Planning Commissioners, thank you for this.

We first ask that you consider postponing the voting of the Kaw Valley Lenape Sand Quarry from June 12th to a later date. The devastation that this area received on May 28th form the EF4 tornado has left us with little time to think of anything else. We are cleaning up our homes, helping each other and trying to put our lives back together. In all of this mess we still have jobs, families to raise, obligations. We need more time.

We are land owners within a mile of the projected quarry site. We have many concerns we would like to share. We are unable to attend the June 12th meeting but would like for our points to be heard and considered.

We purchased our 35 acres, 33 years ago knowing that growth and change would eventually come to this area. We both grew up in the DeSoto, KS area. This however, is not the kind of change we feel will promote positive growth in Southern LV County.

We have raised 4 children who attended Linwood Elementary, BLMS and BLHS. Our district and community are a wonderful, quiet area to raise a family. Bringing a business with this magnitude, volume of heavy truck traffic, noise and destroying the farmland and leaving it unsightly will not benefit our community. Our roads were not built wide enough to handle daily travel of heavy trucks in mass quantity. We have no shoulders, our bridges will not withstand the weight and I will add the RR crossing is terrible now, it will be torn up within months with that kind of stress. The number of residential driveways on these county roads should be taken into consideration.

County Rd 1 has many curves and blind hills. Adding heavy trucks running loaded or empty to a major bus route is an accident waiting to happen. These trucks do not have the ability to stop quickly. All of the county roads that could be possibly used are residential, heavily traveled by families, young drivers and school buses. Not to mention farm equipment and bicyclist.

The intersection of CO RD 1 and 32 is very dangerous, it also has a blind hill. It is sad to say but we hold our breath each school year hoping no one is killed heading to Basehor. Adding 200 trucks traveling one way daily at this intersection will be a nightmare.

Has anyone spoken to Sherman Township Fire and Rescue on their concerns of the impact this will have on our community?

We drove by the Kaw Valley Sand Plant in Edwardsville today. We understand the operation in our area will be completely different but the trucks traveling the roads will be the same. This plant has the ease of 435 hwy being only a few miles away.

June 4, 2019

Dear County Commissioner,

We are writing to you with grave concerns about the proposed Kaw Valley Sand Pit operation at Lemape Road and 166th street. As area residents we do not want this business considered at this site. This location is strictly agricultural. As a truck driver for a local construction company, I have hauled to other Kaw Valley Sand dump sites. They are in industrial parks surrounded by sewer treatment plants, as phalt plants and concrete plants. This locale is surrounded by nothing but productive farm ground.

We have many questions for you. Shouldn't each member of the planning and zoning committee and all five commissioners take a tour of this piece of ground? Has any research taken place on this issue? Do you feel completely informed about this proposal? We sure hope so. If you have done your homework you will be voting no. It is imperative for every county elected official to know what you are voting for. Your decision will have a huge impact on this county.

Are you aware how extensive this project can be? Did you know that residents along Golden Road only have access to water through their own private water wells? What do you think will happen to our drinking water (at a water table of approximately 26 feet deep) when this company drills up to 50 feet for up to 50 years? We are only 1.2 miles northwest of where they want to drill.

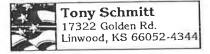
Other troubles should be addressed as well. How soon do you think our roads, bridges, railroad crossings and intersections will deteriorate? How many more accidents are going to take place? How many of these accidents are going to involve school buses and children?

On a more personal level, how would you feel about being exposed to 93 decibel noise that could cause permanent damage? This would take place from 6 a.m. to 6 p.m. six days a week. Or breathing silica dust which is known to be disabling or fatal to your lungs? Would you like to protect any wildlife? (including bald eagles). And lastly, how do you feel about this pit eventually becoming a dump?

Mary M. Schnitt 913-954-7586

We want answers please,

Anthony W. Schmitt\Stacey A. Schmitt



Commissioner Vicky Kaaz

I'm writing about the Lenade Sand Quarry Special Use Permit. The roads in this area have signs stating "COMMERCIAL VEHICLES EXCLUDED Res No 2009-50". This is your regulation and I hope you stand firm on your original resolution about these roads. I realize the suggested route is Golden Road to K32 but truck drivers will take the easiest and cheapest way possible to get to their destination. I have a picture from 6-3-2019 I took in front of my driveway on Loring Rd. The "COMMERCIAL VEHICLES EXCLUDED" signs are on both ends of this/my road but they don't care and obviously do the easiest route. These huge trucks are on our roads ALL DAY LONG! Furthermore, there are 3 school districts with school buses full of children that would be impacted on these roads that have no shoulders. The magnitude of this project would create tremendous safety hazards. Our chip and seal roads can NOT support this much commercial traffic. The sand trucks are estimated at 25+ tons and our bridges are only rated at 15 tons. How can they hold up to that much commercial use?

Please, Please, Please do the right thing and listen to your citizens and vote NO on the Lenape Sand Quarry Special Use Permit.

Signed, Och La Dott Lummers

Please and Thank you,

Scott and Andrea Summer 15251 Loring Rd. Bonner Springs, KS.

Ralph Wiggins 12151 desoto rd Linwood Ks 66052 to Planning and Zoning Leavenworth co Regarding the special use permit application DEV -19-008

I am writing concerning the proposed sand quarry@ 166th and Lenape rd.I live north and east of Lenape rd at Desoto rd and Green. I am not certain but I believe this project to be very close to my residence. I would like to state my concerns as I have owned this residence since 2005.

Water is my first concern. I have a sand point well, which is a shallow well, abouy 30 ft deep. I believe that destroying productive crop acres by removing soil to dredge sand will contaminate my and my neighbors water supply

In my opinion this project will have a negative impact on property values and make a peaceful community into a dusty noisy high traffic area and ruin the country setting many of us enjoy.

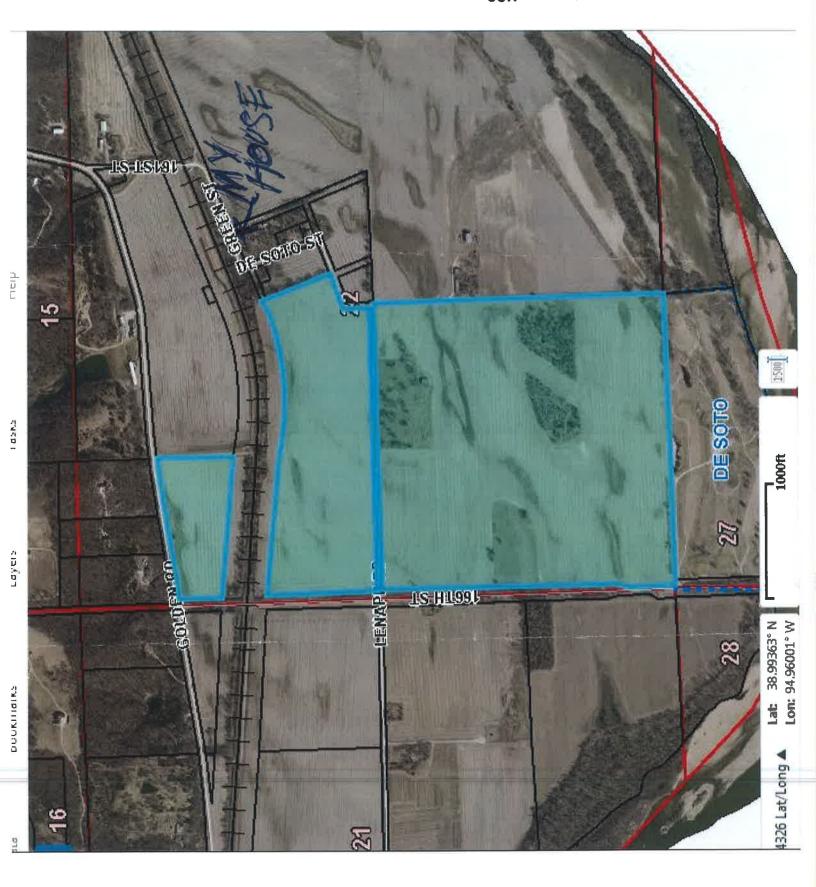
As a runner and bicycle rider I have been thankful for the well maintained area roads. I believe that these heavy sand filled trucks will damage our roads and cause the need for constant repairs and make cycling dangerous as well as damaging cars

I ask that this permit be denied and we be able to continue to enjoy our homes

Thank you for your attention

Ralph Wiggins

JUN 2 8 2019



June 6, 2019

Dear Ms. Krystol Voth, Senior Planner, LV Co. Planning and Zoning,

I am a long-term (33 years) resident of southeastern Leavenworth County and would like to oppose the approval of the Planning and Zoning permit for the Lenape Sand Quarry and its sand mining operation for some of the following reasons.

This operation would send large volume of heavy trucks through my community. This creates wear and tear on the roads, diesel fumes, and safety risks for not just local residents but for school children who rely on busses for transportation. Also, this is the route for recreational bicyclists and would make it more dangerous for this activity.

The roads in this community vary from chip and seal to gravel. Most barely meet width requirements for two lane roads. There are no shoulders and big drop offs at the edge. There is no roadway lighting and often the roads are tortuous as they were built around the limestone terrain long ago. Limited vision is always problematic. This makes pulling out from driveways for local residents much less safe than in other areas. It is dangerous to retrieve our mail from the mailbox due to limited vision. It also makes it dangerous for the frequent school bus stops that are required by this rural community and for children waiting at the end of driveways close to the road. In addition, larger, heavier vehicles carrying heavier loads have a longer stopping distance, putting both our residents and our school busses and their cargo at risk.

Accidents along these routes are already frequent for the above reasons and therefore emergency vehicle traffic is necessary. This would be increased with the increase in heavy vehicle traffic from the proposed sand quarry and delay necessary aide to community citizens.

The rural roads that are proposed routes for this truck traffic are not designed to carry heavy loads. In fact, most of them have signs prohibiting their use. Increasing the heavy traffic load means that repair of roads will be costly and more frequent and problematic to traffic flow due to narrowed roadways.

Existing railroad crossings in SE LV Co already leads to traffic delays. Adding considerable truck traffic will certainly bog down this process.

Diesel emissions is also a factor to be considered with the increased frequent diesel truck traffic on these routes. This is a relatively non-polluted rural area that people live in to farm, raise children, plant gardens, and have animals. Diesel emission pollution will degrade this beautiful area and possibly cause health concerns.

Noise from the plant itself and from the increased truck traffic is another type of pollution that will blight our neighborhoods. The noise from trucks that should be prohibited from driving on our roads (according to regulations) already is noxious to this peaceful area and regulation should be enforced.

I will be in attendance at the next Planning and Zoning Meeting on June 12. I am hopeful that our communities' concerns are given thoughtful attention and that an alternative site for this sand quarry be mandated.

THE PARTY OF THE P

Sincerely,

Linda E. Risley 13660 158th St., Bonner Springs, KS 66012, 913-777-1050

June 11, 2019

To: The Leavenworth County, Kansas Planning Commissioner Members

C/O Mr. Jeff Joseph, Director of Planning & Zoning

300 Walnut Street, Suite 030 Leavenworth, KS 66048

From: Michael G. McDonald, PE 14439 Woodend Road Bonner Springs, KS 66012

Re: Case No DEV-19-008 (SUP – Kaw Valley Sand Plant)

Dear Commissioners,

"Is this a good project that will advance the quality of life and economic health of the residents of Leavenworth County?"

I have lived in Leavenworth County since September 1988; nearly thirty-one years. I currently reside within the 5th Commissioners District of Leavenworth County. This letter expresses my personal views about the proposed Kaw Valley Sand Plant SUP application.¹

I believe this proposed sand mine north of Desoto fails a reasonable Golden Factors analysis. Thus, it is not an appropriate land use and therefore it is your duty to forward this SUP application to the Leavenworth Board of County Commissioner with your opinion that is should be denied.

In *Golden v. City of Overland Park* (1978)² the Kansas Supreme Court determined that adoption of a zoning ordinance or a comprehensive plan is a legislative action. When addressing a change in zoning of a single parcel of land the court stated that "[w]hen, however, the focus shifts from the entire city to one specific tract of land for which a zoning change is urged, the function becomes more quasi-judicial than legislative." Public bodies - like the Leavenworth County Planning Commission - performing quasi-judicial actions, like your consideration of this SUP³, are held to a reasonableness standard.⁴

The Golden court states, that: "[w]hat has troubled trial and appellate courts alike is: What is 'fairly debatable' and what is 'reasonable'?" **The consensus is that zoning body member should each individually and verbally specify the factors they considered in making their decisions.** "A mere yes or no vote upon a motion to grant or deny leaves a reviewing court in a quandary as to why or on what basis the board took its action."

¹ The opinions expressed in this letter are mine, and mine alone. They are not the views of my employer.

² Golden v. City of Overland Park, 224 Kan. 591, 598, 584 P.2d 130 (1978)

³ Special Use Permit (SUP)

⁴ The Golden Factors have been applied in conditional and special use permit cases. *See, K-S Center Co. v. City of Kansas City* (1986)

An SUP grants specific changes to the zoning for a property and therefore must consider the same issues. The staff report should provide information on these issues, but their findings should be referenced by the Planning Commission in motions and discussion. Improper consideration of or lack of reference to these factors will most likely result in a court overturning the decisions of the Board or Commission, if challenged.

2) "Golden Factors"

The court suggested some factors that a zoning body might consider:

- Golden 1: The character of the neighborhood,
- Golden 2: The zoning and uses of properties nearby,
- Golden 3: The suitability of the subject property for the uses to which it has been restricted,
- Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,
- Golden 5: The length of time the property has remained vacant as zoned,
- Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner.
- Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.⁵
- Golden 8: The recommendations of permanent or professional staff.

The following matters may also be considered when approving or disapproving a rezoning/SUP request:

- (1) Traffic/Parking, (2) Location/Access,
- (3) Archaeological & Historic significance,
- (4) Topography/Drainage, (5) Wildlife Presence, (6) Design compatibility with surrounding area, (7) Ecological analysis,
- (8) Vegetation analysis,

- (9) Flood hazards, (10) Soil survey, (11)
- Sewage disposal, (12) Market/Economic
- analysis, (13) Water Supply, (14) Police/Fire/EMS protection, (15)
- Air/Noise pollution, (16) Demographic
- study, (17) Tax base implications.

In the forty-one years since Golden, reasonableness remains the standard of review.

3) Golden Questions Raised By This Application

Golden 1: The character of the neighborhood,

This project does not match the character of the neighborhood. Creating an industrial use in within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the

Michael McDonald, PE

⁵ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

This project does not match the character of the neighborhood. Creating an industrial use within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

There is a reason this property has not evolved into industrial use over the last several decades – basically it is not suitable for industrial use. Creating a modern sand mine is a use that was not envisioned by the zoning regulations, or by the residents that have chosen this area of Leavenworth County to live and raise their families.

Golden 2: The zoning and uses of properties nearby,

This area is zoned "Industrial". It seems to have been this zone for decades. Every parcel in Leavenworth County outside of a city between the Kansas River and the railroad tracks is zoned "Industrial". It is not clear why any of it was zoned Industrial. There are no industrial uses nearby and the closest industrial use is the rail siding and old quarry/cave sites at Loring, nearly four miles away.

Since the 1970's there are virtually no industrial uses that can operate or even attract investors due to the environmental restrictions of modern regulations. Examples are being within a FEMA regulated floodway (water up to ten feet deep in places at this site) without an expensive engineering studies that likely result in a "Federal Levee" surrounding the site, potential groundwater contamination of nearby public drinking water wells and more.

Golden 3: The suitability of the subject property for the uses to which it has been restricted,

It is clear that the property can be turned into a sand mine. That does not make it "suitable" for a sand mine. The impact of traffic, noise, air pollution, water pollution, viability within the floodplain and others make it unsuitable for the plans as presented

Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,

Permitting of a sand mine at this location will permanently and adversely impact adjoining property, nearby residential property, and all property in the county north to at least K32. These impacts (among others) are related to traffic, noise, pollution and more.

As will be mentioned elsewhere – this use adversely impacts many other properties than those within 1000 feet or even within ½ mile. A major concern of citizens throughout the county is the approximately 200 (or more) loaded sand trucks per day that will be making round trips between Edwardsville and this project. That is 400 TRUCKS PER DAY IN FRONT OF ANY HOUSE OR THROUGH ANY INTERSECTION.

The trucks may be leaving loaded at four to six minute intervals, but they will get bunched up at the railroad crossings, hills, behind school buses, entrances to K32 and for other reasons. They will then often travel in convoys of several trucks. It is worth noting that as truck drivers become familiar with the route they will become complacent, speeds will increase and attention spans decrease. Consider the adverse impacts of these trucks on:

- Children waiting for school buses
- School bus stopping along the route
- Pedestrians
- Safety of bicyclists and motorcyclists
- Motorists that are "driving too slow" for a convoy of trucks

Golden 5: The length of time the property has remained vacant as zoned,

This property has been used for agricultural purposes for decades. It has never been used for an industrial purpose, although adjoining properties have active and inactive municipal drinking water wells.

Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner,

Revenue: There is no revenue to the county from this project except road and bridge degradation fees. It is difficult to find any economic gain. There may be some increase in property tax collected based on value of stored materials, plant and equipment. There is no sales tax collected on the transactions.

Leavenworth County engineering office has calculated the damages to county roads and bridges on two of the routes supported by the county. This includes a bridge replacement and an annual fee. There are several problems with this calculation.

The method and assumptions of the calculation have not been made public. There is no evidence it has been reviewed by an independent consultant to ensure that the calculations are appropriate.

The process to determine the value of the damage to infrastructure owned by the public is not part of any known county rule, regulation or ordinance. The determination of the method to be used for damage calculations should be a transparent process, involving public hearings and a public vote by the County Commission

The County Engineer report does not state how these annual fees will spent. Are they limited to the "approved" routes used by Kaw Valley, or will they be lost in the general fund of the county to be used any purpose desired by the Commission? Will they remain in Sherman Township? A clear statement of what these funds are to be used for and how that use will be determined are essential for public trust.

There are few or no new jobs for this project as the mine employees are likely to be already employed by Kaw Valley Materials. The truck drivers (typically 40 - 50 per day) are truck drivers that already exist and there is no reason to expect that new jobs would be created.

Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a park property at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue benefit to Leavenworth County related to this project otherwise.

There is no meaningful gain, and evidence of great degradation to the health, safety and welfare of the public.

Air pollution: Constant exposure to diesel exhaust fumes from the trucks, pumps, dredges and other equipment (12 hours or more each day) is detrimental to the environment in general, local residents in particular, especially children and older adults. This is an area that should be investigated much further by Planning and Zoning staff.

Silica dust from mining operations is a health hazard⁶. Sand blowing from current sand mining operations in Johnson and Wyandotte counties can be seen on a regular basis. This dust creates a health hazard to local residents, pedestrians motorists and recreationists.

While the application notes that the blowing sand will be controlled through water and a "natural crust", this control has not been demonstrated as effective at similar sites. Having wet sand cost money to maintain, and is not desirable to transport as it results in less volume per trip. There is no incentive on the part of Kaw Valley Materials to aggressively address blowing sand.

Roadway Safety: Additional information related to "Traffic" is presented in the "Other Factors" section.

The safety of any driver south of or on K32 is impacted. The sand trucks will TRIPLE the number of heavy commercial vehicles on K32 according to KDOT traffic count maps⁷. Sand trucks will also travel on "non approved" county roads (most without shoulders and narrow) and endanger motorists, bicyclists, and pedestrians. Children are in greater danger waiting for a school bus and the school buses are exposed to greater danger as well.

As of May 10, 2019 KDOT has not provided a statement to Leavenworth County regarding safety, traffic patterns, possible signals or other highway issues as these trucks enter K32.

⁶ https://www.ewg.org/research/sandstorm/health-concerns-silica-outdoor-air

https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/maps/CountMaps/Districts/insetmap2017.pdf

Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.8

I urge all Planning Commissioners to review the "vision" for Leavenworth County, and the mission statement of the Planning Commission. These statements reflect that the intent of county government is for the citizens of the county and their quality of life, and not to place the interests of a private enterprise above the citizens.

The Comprehensive Plan appears to allow sand mining as a special use, but provides little guidance on how it should be regulated. The unusual zoning of agricultural flood plain being zoned as Industrial should not be considered as providing any sort of predetermined approval, and it should be carefully evaluated as meeting the goals of the Comprehensive Plan. Much of my thoughts on this are noted above in **Golden 2**.

Golden 8: The recommendations of permanent or professional staff.

Staff Report Issues: The "Staff Report" became available at some time Friday June 7. There is ONE mention that residents are concerned over this project. I am aware of several long-time residents of this area having informed the Planning Staff of their concerns and objections. Nowhere in this staff report are these contacts with residents and other citizens described or summarized so that the Planning Commission can be prepared to consider them.

Citizens have not had benefit of reviewing the Staff Report sufficiently in advance of the meeting to respond in detail due to the June 7, 2019 availability. There should be no rush to approval until factual information is available to consider these concerns. The City of Shawnee took several years for the permitting process on a similar sand mine south of the Kansas River and west of K7. Douglas County took over a year to issue the Conditional Use Permit for a similar project in 2013 (August 28, 2013CUP-12-00099). Significant requirements were imposed on the applicant in both of these cases, after substantial additional information was provided to the planning commissions.

Process Timeline: Before going into detail – I must voice my concern over the speed of the process. Emails in the staff report indicate that there was an effort for a Special Use Permit hearing as early as February, possibly in January. Other communities facing similar projects have taken YEARS to resolve details that appear to have a beneficial outcome to all parties.

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⁸ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

Other Factors9

How Other Communities Processed Similar Applications:

City of Shawnee pit/park/industrial sites west of K7 South of Bonner Springs. Permit originally applied for in 2007, dredging in the pit began about two years ago.

Douglas County (08-28-13 CUP-12-00099) took over one year to evaluate the details of a sand pit operation.

Traffic

The traffic study provided by CFS Engineers is woefully inadequate in evaluating the impact of this sand mine on the roads and residents of the county. The 5000 tons per day that is anticipated to be trucked out of the site may be directed to go certain routes, however other routes are available that may be shorter or more convenient. Leavenworth County has posted many roads to prohibit trucks, however residents have reported violations to the authorities without satisfactory resolution.

It is noted that the trucks will be directed as to what route to use. That is a good idea, but there is a history of trucks not obeying current "trucks prohibited" signs and limited enforcement is possible with current staffing of the Sherriff Office. Trucks that do not work for Kaw Valley are also expected to buy bulk sand at this site for their projects. Kaw Valley will have no control over these, and they can generally go where they want to in order to get to where they are going – into Desoto to get on K10 to Lawrence, north on County Road 2 to Basehor, etc. These un-designated roads will have more hazards such as limited width, no shoulders, poor sight distance for driveways, resulting in greater danger to everyone. These additional roadways are also degraded without compensation.

Should Kaw Valley be allowed to sell directly to contractors or businesses from the quarry, Kaw Valley will have essentially NO control of which route they take to their destination.

As of May 10, 2019 information obtained through KORA show that KDOT has not commented to Leavenworth County on their opinion and thoughts on the sand mine and routing of trucks. Any comments the county has received since then should be shared with residents so that they can be evaluated.

Noise

The noise of the sand mine has been likened to "farm equipment noise", and being at the level of slightly louder than "conversation". This is an inappropriate response as these are not adequate comparisons. Neither one of these is constant for eight to twenty-four hours per day. A sand mine is constant and forever, a combine is temporal (and expected in an agricultural setting).

⁹ Additional Documents Relating to this case are available on a Shared Google Drive: https://drive.google.com/open?id=1_9r8hbU43_19rEVXuVfBXwjRoK6dEqb

It has been suggested that a berm and a few trees will be planted to address noise impacts to adjoining properties. There is a science to noise reduction, and this is not it. Any berm must be properly sized, placed and shaped¹⁰. Multiple tree species must be selected that will actually grown in the noise reduction system, be effective for noise reduction throughout the year, and must be of an effective size when operations reach the off-site level . There must be a commitment to maintain their integrity by Kaw Valley as well.

I urge the Planning Commission to seek further information from experts in this field, and place a hard limit on noise levels at the north, south and east boundary of the project, and ensure any noise barrier system is designed by a professional and maintained for the duration of the project if it is approved.

Revenue: Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a public park property and industrial sites at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue to Leavenworth County related to this project otherwise.

Flood Hazards: It has been proposed by CFS Engineers that there is really not a flood plain problem since it "never floods". The truth is – FEMA maps are the "law of the land" and it is incumbent upon the applicant and the Flood Plain Manager (Leavenworth County) to address how the obstructions impact flood levels. The water surface elevation of the 1% Event (100 Year Flood) floods the entire site, up to ten feet deep in places.

The floodplain area at this site is further regulated –it is "Floodway" and cannot be impaired to cause flood levels to rise. It is REQUIRED that a rigorous analysis be prepared showing that the development meets the standard of a "No Rise" certificate. This certificate is a document signed by an Engineer licensed in the state of Kansas that the project will not create ANY rise in flood elevations. This does not mean 1/100 of a foot rise (1/8") is OK – it means NO RISE as in 0.000 feet is required. This analysis must be reviewed by the floodplain manager of the county before a permit is signed off on.

This is hugely problematic for this site for many reasons, including the items below

- 1. It is expected that a chain link fence will be proposed and/or required completely around the site. Chain link fence is treated as a solid barrier in flood calculations as it will trap debris in flood waters, sealing off flow through the fence.
- 2. It is expected that a berm will be required around the site to prevent agricultural runoff or flood flows from entering the pit

¹⁰ Example: https://arbordayblog.org/landscapedesign/using-trees-and-shrubs-to-reduce-noise/

and affecting water quality. This berm will be a huge obstruction to flood water flowing through the area.

- 3) Any berm for noise reduction is also a berm interfering with flow of flood waters.
- 4. Stockpiles and buildings create obstruction to flood flows. A huge stockpile is proposed for this site. This must be addressed in the "No Rise" certificate.

Water Supply: City of Olathe has water supply from wells near this site. It is possible that Johnson County Water One has recently obtained the old ammunition plant wells near the site and are believed to not have been notified of this hearing. Good water management practices recommend much greater distances between sand mines and public water supply wells than is proposed for this sand mine. The recommended minimum separation is 1000 feet to safeguard the public's water supply.¹¹

Final disposition of the property: It is shown in the submitted material that the property will revert to the owners for use as a private lake. This does take some imagination to believe that current family members will find the industrial site used for mineral extraction to be appealing after 20-25 years. This especially true once the statement of the applicant noting that they are currently seeking additional property to extend the life of the project is fully understood. Any permit issued must specifically prevent any other use of the site without the necessary zoning hearings in the future.

4) My Recommendations

The materials you have been given by the applicant and the County Staff seem intentionally vague and contain virtually none of the truly important details necessary to make an informed decision about a project that will profoundly change southern Leavenworth County **forever!**

I urge the Planning Commission to require the following information to review before this project goes forward to a vote:

- Obtain a legitimate traffic study focusing on the two "approved" routes, including KDOT recommendations and requirements on the routes.
- A definitive description of truck operations permitted such as
 - Idle time restrictions
 - Penalties for Kaw Valley related to company and contracted trucks failing to follow assigned routes, speeding, other moving violations, safety/inspection violations.
- Review and approve a sound/noise management plan with penalties to limit sound at property boundaries to a recognized standard. This plan to be developed by a sound management and/or landscape architecture professional with experience in

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¹¹ http://kansasriver.org/wp-content/uploads/2013/06/Sand-pits-and-Public-water-supply-wells.pdf

- natural sound barriers and industrial noise. Identify the impact over time on residences and businesses related to how a natural barrier must be allowed to grow and is required to be maintained to be effective
- Review and approve a water quality management plan for all adjacent water supply
 wells and ground water quality in general with a mitigation plan and/or penalties
 for failure to maintain water quality. Plan to be prepared by a Kansas licensed
 engineer or geologist.
- Review and approve a dust management plan with clear performance standards and penalties related to off-site migration.
- Require annual review by staff and the Planning Commission with a public hearing on how performance standards are being met by Kaw Valley Materials.
- Require drawings of "close-out" final grades and landscaping plans and a
 description of when and how these final conditions will be met. This should include
 disposition of industrial equipment, fencing and berm maintenance. Consider
 requiring a bond or closure fund to facilitate this closure.
- Resolve the definitive hours of operations for the dredging and processing equipment. This should be limited to ten hours per day or less, with NO WORK on Sunday, and possibly NO WORK on SATURDAY. Penalties for failure to comply should be specified. **Do not allow any option for 24 hour operation!**
- Obtain a copy of the County's written non-residential impact fee policy and the County Resolution which officially adopted this non-residential impact fee policy.
- Detailed calculations showing how the value of the impact funds were calculated and how they will be spent on the roads impacted.
- Detailed information on how the final site will be graded showing final slopes, final landscaping and describe how this will be paid for. Include requirements preventing any other use of the property without official approval.
- KDOT's position on the traffic from this project.
- Request the Sheriff's office prepare a report on their enforcement of truck traffic on non-approved routes, and how trucks not contracted to Kaw Valley can be prohibited from other routes
- Revised final operational area plans showing how greater buffers for noise and water quality are taken into account.
- Demonstrate how the issue of FEMA Floodway has been resolved by providing a
 copy of the "No Rise" Certificate and calculations prepared by a Kansas licensed
 engineer. This "No Rise" should addresses fencing, stockpiles, berms, landscaping
 and buildings on the site. This is especially complicated due to the anticipated
 prohibition of agricultural runoff entering the pit (and contaminating the
 groundwater) which will almost certainly necessitate a berm, and the noise berms.

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¹² Assuming this policy exists.

- Leavenworth County staff are the flood plain administrators and must approve or not approve the "No Rise" certificate.
- Statements from impacted entities such as USD Basehor/Linwood, City of Bonner Springs, City of Desoto, City of Olathe, Johnson County Water One, residents within 1000 feet and others.

5) In Conclusion

I urge all Planning Commissioners to reflect upon the intent of our zoning regulations. They establish a way that the county government can protect the citizens of the county and their quality of life while also allowing for land to be used to the benefit of the citizens. The zoning regulations were never intended to place the interests of a single private enterprise above the citizens.

Please reject this application as not being appropriate to the citizens of Leavenworth County. Or, in the alternative, reject this application, but allow for its future resubmittal with a greater level of documentation addressing the concerns of the citizens of Leavenworth County.

Sincerely,
===== SIGNED ====
Michael McDonald, PE

14439 Woodend Road Leavenworth, KS 66048 From: Van Parys, David <DVanParys@leavenworthcounty.gov>

To: mgmlvks@aol.com <mgmlvks@aol.com>
Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Date: Thu, Jun 20, 2019 4:26 pm

Mike, Please give me a call tomorrow morning (10:00h) to discuss the scheduling of the review.

From: mgmlvks@aol.com < mgmlvks@aol.com >

Sent: Tuesday, June 18, 2019 1:22 PM

To: Van Parys, David <DVanParys@leavenworthcounty.org> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

Thank-you, please let me know when and I will schedule some vacation time to come look at them

Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com>

Sent: Tue, Jun 18, 2019 11:34 am

Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, I believe that I have collected all of the documentation that P&Z has on this topic and will be reviewing that this afternoon. After I have had a chance to review and prepare a response I would still like to suggest that you come up and review the file to see what you would like to have copied in order to avoid any unnecessary copying/work.

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Saturday, June 15, 2019 10:37 PM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Cc:** Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

David - please find this KORA which is in addition to the one described below from May 28.

These are related to the same item, and my guidelines are the same.

- Dates/Times/Durations of staff having meetings with representatives of CFS Engineers and/or Kaw Valley Materials since January 1, 2018
- 2. Agendas, minutes, summary emails of any meetings identified in #1 above
- 3. It is believed county staff (likely PZ staff) conducted a joint site visit to the proposed sand mine with representatives of CFS Engineers and possibly others. I am requesting
 - Date and duration of site visit/s
 - List of Attendees at the site visits
 - Copies of any agendas, minutes, handouts, summaries or email associated with the site visit/s.

COPY

- 4. Related to the PZ meeting of June 12, 2019:
 - Any additional material distributed to the Planning Commissioners that was not included in the "Agenda" that was available on-line June 7, 2019 up to the current date.
 - Summaries of phone calls and emails received by County Staff that may have been prepared for the Planning Commission.
- 5. Copies of State and Federal permits submitted to the County for review on this project, including but not limited to:
 - Floodplain "No Rise" certificate and associated calculations
 - Any County actions or correspondence or email since January 1, 2018 with CFS Engineers, Kaw valley Materials, state agencies, federal agencies related to flood plain management and permit issuance matters
 - Copies of state/federal permits or applications to the county associated with NOI, SWPPP, Obstructions in Streams, etc.
 - Other state/federal/local permits or applications not listed
- 6. Copy of the calculations and methodology used by County Engineer/Pubic Works Director to determine the reimbursement fee presented to the Planning Commission.

Thank you

You may contact me at this email address of mailing address

Mike McDonald mgmlvks@aol.com 14439 Woodend Rd, Bonner Springs 66012 (In Leavenworth County)

----Original Message----

From: mgmlvks < mgmlvks@aol.com>

To: DVanParys < <u>DVanParys@leavenworthcounty.org</u>> Cc: Jklasinski < <u>Jklasinski@leavenworthcounty.org</u>>

Sent: Thu, May 30, 2019 2:41 pm

Subject: Re: KORA - DEV-19-008 Sand Pit Kaw Valley

David - Thanks. Paid today. talked to PZ, they copied the receipt and said they would get started and have this next week. If I need to add more \$\$ - let me know Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com <mgmlvks@aol.com>

Cc: Klasinski, Janet < Jklasinski@leavenworthcounty.org>

Sent: Thu, May 30, 2019 8:29 am

Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, Please drop the payment off at the Clerk's office and I will have P&Z staff begin the review and search.

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Thursday, May 30, 2019 8:27 AM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** Re: KORA - DEV-19-008 Sand Pit Kaw Valley

Thanks - I'll be in today and pay

Mike

----Original Message----

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

To: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Thu, May 30, 2019 8:18 am

Subject: FW: KORA - DEV-19-008 Sand Pit Kaw Valley

Mike, Looks as if the on-line option is out.

From: Klasinski, Janet

Sent: Thursday, May 30, 2019 8:02 AM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** RE: KORA - DEV-19-008 Sand Pit Kaw Valley

I don't think so

From: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>>

Sent: Wednesday, May 29, 2019 3:07 PM

To: mgmlvks@aol.com

Cc: Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> Subject: RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Janet, Can Mike pay his deposit on line?

From: mgmlvks@aol.com Sent: Wednesday, May 29, 2019 3:05 PM

To: Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> **Subject:** RE: KORA - DEV-19-008 Sand Pit Kaw Valley

Thanks. Can I pay online in anyway?

Mike

On Wednesday, May 29, 2019 Van Parys, David < <u>DVanParys@leavenworthcounty.org</u>> wrote:

Mike, Having had a chance to review your request I ask that you make a deposit of \$50, payable to the Treasurer of Leavenworth County, to cover the estimated time (@ \$15 per hour) and associated copying charges. The records you request will take staff time to find and review. Upon the conclusion of the search, any remaining balance of the deposit will be returned to you. An alternative is for you to visit the Planning and Zoning Office and review the records yourself. Please let me know how you wish to proceed.

From: Klasinski, Janet

Sent: Tuesday, May 28, 2019 3:22 PM

To: Van Parys, David < DVanParys@leavenworthcounty.org>; Joseph, Jeff < jjoseph@leavenworthcounty.org>

Subject: FW: KORA - DEV-19-008 Sand Pit Kaw Valley

From: mgmlvks@aol.com <mgmlvks@aol.com>

Sent: Tuesday, May 28, 2019 1:50 PM

To: Klasinski, Janet < <u>Jklasinski@leavenworthcounty.org</u>> Subject: KORA - DEV-19-008 Sand Pit Kaw Valley

Ms. Klasinski -

Please consider this my official KORA request for the following information, particularly related to the application of Kaw Valley for a Sand Mine Special Use permit in south Leavenworth County as

described in DEV 19-008

Requests can be fulfilled via paper copy or scanned/digital copy. If necessary - I can come to the Courthouse and look over documents in person. Please contact me if expenses appear to be greater than \$50.00

- 1. Any staff reports, draft staff reports, summaries of concerns of county departments and other correspondence related to Kaw Valley Companies (and any related subsidiaries, agents or others) for application DEV-19-008
- 2. It is my understanding that that there is a digital record for each parcel in the county that should have all correspondence to and from the county included in it. It is also believed that there is a paper file with the same information. I am requesting a copy of all correspondence in this file related to parcel 235-22-0-00-00-004.00-0 and as shown below highlighted in blue since 1975.



3. Please provide a copy of all application by Kaw Valley Companies (and any related predecessor, subsidiary, agent or other) for any land use activity in Leavenworth, County since 1975, particularly staff reports, draft staff reports, findings of the Planning Commission, Actions of the County Commission

4. Copies of any correspondence, email or notes of conversations between Leavenworth County Staff and Kaw Valley Companies related to DEV-19-008 not otherwise requested above.

Mike McDonald 14439 Woodend Road Bonner Springs, KS 66048 mgmlvks@aol.com

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Allen	14,385	13,371	-1,014	-7.0	1,692	1,789	-917	-6.4
Anderson	8,110	8,102	-8	-0.1	1,051	984	-75	-0.9
Atchison	16,774	16,924	150	0.9	2,192	1,852	-190	-1.1
Barber	5,307	4,861	-446	-8.4	534	662	-318	-6.0
Barton	28,205	27,674	-531	-1.9	3,639	3,047	-1,123	-4.0
Bourbon	15,379	15,173	-206	-1.3	2,187	1,888	-505	-3.3
Brown	10,724	9,984	-740	-6.9	1,394	1,381	-753	-7.0
Butler	59,484	65,880	6,396	10.8	7,817	5,501	4,080	6.9
Chase	3,030	2,790	-240	-7.9	321	353	-208	-6.9
Chautauqua	4,359	3,669	-690	-15.8	372	660	-402	-9.2
Cherokee	22,605	21,603	-1,002	-4.4	2,683	2,712	-973	-4.3
Cheyenne	3,165	2,726	-439	-13.9	235	426	-248	-7.8
Clark	2,390	2,215	-175	-7.3	249	304	-120	-5.0
Clay	8,822	8,535	-287	-3.3	1,013	1,103	-197	-2.2
Cloud	10,268	9,533	-735	-7.2	1,159	1,516	-378	-3.7
Coffey	8,865	8,601	-264	-3.0	980	1,080	-164	-1.8
Comanche	1,967	1,891	-76	-3.9	177	348	95	4.8
Cowley	36,291	36,311	20	0.1	4,719	4,215	-484	-1.3
Crawford	38,242	39,134	892	2.3	5,248	4,378	22	0.1
Decatur	3,472	2,961	-511	-14.7	234	519	-226	-6.5
Dickinson	19,344	19,754	410	2.1	2,277	2,303	436	2.3
Doniphan	8,249	7,945	-304	-3.7	828	796	-336	-4.1
Douglas	99,962	110,826	10,864	10.9	12,465	5,699	4,098	4.1
Edwards	3,449	3,037	-412	-11.9	406	414	-404	-11.7
Elk	3,261	2,882	-379	-11.6	336	488	-227	-7.0
Ellis	27,507	28,452	945	3.4	3,670	2,441	-284	-1.0
Ellsworth	6,525	6,497	-28	-0.4	527	834	279	4.3
Finney	40,523	36,776	-3,747	-9.2	7,776	1,948	-9,575	-23.6
Ford	32,458	33,848	1,390	4.3	6,662	2,464	-2,808	-8.7
Franklin	24,784	25,992	1,208	4.9	3,630	2,385	-37	-0.1
Geary	27,947	34,362	6,415	23.0	6,961	1,970	1,424	5.1
Gove	3,068	2,695	-373	-12.2	312	389	-296	-9.6
Graham	2,946	2,597	-349	-11.8	238	389	-198	-6.7
Grant	7,909	7,829	-80	-1.0	1,398	515	-963	-12.2
Gray	5,904	6,006	102	1.7	941	542	-297	-5.0
Greeley	1,534	1,247	-287	-18.7	155	161	-281	-18.3
Greenwood	7,673	6,689	-984	-12.8	757	1,118	-623	-8.1
Hamilton	2,670	2,690	20	0.7	446	297	-129	-4.8

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Harper	6,536	6,034	-502	-7.7	710	1,029	-183	-2.8
Harvey	32,869	34,684	1,815	5.5	4,409	3,570	976	3.0
Haskell	4,307	4,256	-51	-1.2	705	300	-456	-10.6
Hodgeman	2,085	1,916	-169	-8.1	216	240	-145	-7.0
Jackson	12,657	13,462	805	6.4	1,735	1,303	373	2.9
Jefferson	18,426	19,126	700	3.8	2,089	1,647	258	1.4
Jewell	3,791	3,077	-714	-18.8	245	475	-484	-12.8
Johnson	451,479	544,179	92,700	20.5	75,408	30,620	47,912	10.6
Kearny	4,531	3,977	-554	-12.2	655	362	-847	-18.7
Kingman	8,673	7,858	-815	-9.4	851	1,068	-598	-6.9
Kiowa	3,278	2,553	-725	-22.1	321	313	-733	-22.4
_abette	22,835	21,607	-1,228	-5.4	2,877	2,838	-1,267	-5.5
_ane	2,155	1,750	-405	-18.8	185	270	-320	-14.8
_eavenworth	68,691	76,227	7,536	11.0	9,392	5,321	3,465	5.0
_incoln	3,578	3,241	-337	-9.4	362	509	-190	-5.3
_inn	9,570	9,656	86	0.9	1,098	1,085	73	0.8
₋ogan	3,046	2,756	-290	-9.5	285	348	-227	- 7.5
_yon	35,935	33,690	-2,245	-6.2	5,181	2,856	-4,570	-12.7
McPherson	29,554	29,180	-374	-1.3	3,477	3,532	-319	-1.1
Marion	13,361	12,660	-701	-5.2	1,232	1,690	-243	-1.8
Marshall	10,965	10,117	-848	-7.7	1,192	1,355	-685	-6.2
Meade	4,631	4,575	-56	-1.2	592	476	-172	-3.7
Miami	28,351	32,787	4,436	15.6	3,972	2,516	2,980	10.5
Mitchell	6,932	6,373	-559	-8.1	656	957	-258	-3.7
Montgomery	36,254	35,471	-783	-2.2	4,783	4,662	-904	- 2.5
Morris	6,104	5,923	-181	-3.0	565	746	0	0.0
Morton	3,496	3,233	-263	-7.5	490	347	-406	-11.6
Nemaha	10,717	10,178	-539	-5.0	1,287	1,407	-419	-3.9
Neosho	16,997	16,512	-485	-2.9	2,144	1,999	-630	-3.7
Vess	3,454	3,107	-347	-10.0	297	477	-167	-4.8
Norton	5,953	5,671	-282	-4.7	502	688	-96	-1.6
Osage	16,712	16,295	-417	-2.5	1,865	1,834	-448	-2.7
Osborne	4,452	3,858	-594	-13.3	375	642	-327	- 7.3
Ottawa	6,163	6,091	-72	-1.2	683	747	-8	-0.1
Pawnee	7,233	6,973	-260	-3.6	673	809	-124	-1.7
Phillips	6,001	5,642	-359	-6.0	567	811	-115	-1.9
Pottawatomie	18,209	21,604	3,395	18.6	3,156	1,655	1,894	10.4
Pratt	9,647	9,656	9	0.1	1,188	1,181	2	0.0

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000 Population	April 1, 2010 Population	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
			Number	Percent	Births	Deaths*	Number	Percent
Rawlins	2,966	2,519	-447	-15.1	215	402	-260	-8.8
Reno	64,790	64,511	-279	-0.4	8,345	6,847	-1,777	-2.7
Republic	5,835	4,980	-855	-14.7	466	839	-482	-8.3
Rice	10,761	10,083	-678	-6.3	1,238	1,278	-638	-5.9
Riley	62,852	71,115	8,263	13.1	9,915	3,078	1,426	2.3
Rooks	5,685	5,181	-504	-8.9	619	696	-427	-7.5
Rush	3,551	3,307	-244	-6.9	337	511	-70	-2.0
Russell	7,370	6,970	-400	-5.4	756	1,026	-130	-1.8
Saline	53,597	55,606	2,009	3.7	7,978	5,132	-837	-1.6
Scott	5,120	4,936	-184	-3.6	674	547	-311	-6.1
Sedgwick	452,869	498,365	45,496	10.0	78,837	38,285	4,944	1.1
Seward	22,510	22,952	442	2.0	5,276	1,379	-3,455	-15.3
Shawnee	169,871	177,934	8,063	4.7	25,116	16,737	-316	-0.2
Sheridan	2,813	2,556	-257	-9.1	280	330	-207	-7.4
Sherman	6,760	6,010	-750	-11.1	756	730	-776	-11.5
Smith	4,536	3,853	-683	-15.1	326	663	-346	-7.6
Stafford	4,789	4,437	-352	-7.4	480	627	-205	-4.3
Stanton	2,406	2,235	-171	-7.1	374	187	-358	-14.9
Stevens	5,463	5,724	261	4.8	897	476	-160	-2.9
Sumner	25,946	24,132	-1,814	-7.0	3,088	2,724	-2,178	-8.4
Thomas	8,180	7,900	-280	-3.4	1,031	788	-523	-6.4
Trego	3,319	3,001	-318	-9.6	312	463	-167	-5.0
Wabaunsee	6,885	7,053	168	2.4	825	653	-4	-0.1
Wallace	1,749	1,485	-264	-15.1	150	188	-226	-12.9
Washington	6,483	5,799	-684	-10.6	612	883	-413	-6.4
Wichita	2,531	2,234	-297	-11.7	342	241	-398	-15.7
Wilson	10,332	9,409	-923	-8.9	1,228	1,368	-783	-7.6
Woodson	3,788	3,309	-479	-12.6	362	597	-244	-6.4
Wyandotte	157,882	157,505	-377	-0.2	28,330	14,312	-14,395	-9.1
Kansas	2,688,824	2,853,118	164,294	6.1	403,266	244,550	5,571	0.2

Source: U.S. Census Bureau, 2000 Census; 2010 Census; and CQR, http://www.census.gov/prod/cen2000/notes/cqr-ks.pdf (accessed May 9, 2006); Kansas Department of Health and Environment, *Annual Summary of Vital Statistics*, various issues.

^{*} Kansas total includes deaths not assigned to a county.

From: Annette & Jeff <annettejeff@kc.rr.com>

Sent: Saturday, June 29, 2019 7:16 PM

To: Joseph, Jeff; PZ

Subject:Kaw Valley Sand pit concernsAttachments:KS county population.pdf

To the Leavenworth County Planning and Zoning Commissioners:

Hello! My name is Annette Manion. I am an optometrist practicing in Prairie Village for the past 17 years. In 2017 my husband and I purchased 10 acres of land on 170th St. We want a rural, residential lifestyle. We want to escape our noisy, Johnson County neighborhood where our neighbor's house is 16 feet away. We did our homework before purchasing this land. It is in an area zoned rural, residential as per your

www.leavenworthcounty.gov/publications/cr1study.pdf from 2018 (on page 11). Additionally, 170th Street doesn't allow commercial vehicles. We have been very excited to begin building our home this summer until we heard the news of the multiple, noisy, large trucks that could be a possibility on our road. We want what Leavenworth County is selling: a rural, residential lifestyle. We are not the only ones who want that, as documented in the census data from 2000-2010. During that time frame, Leavenworth county grew 11% and 5% was from net migration.

Only 5 out of 105 counties in Kansas grew by 11% or more in that time period.

http://www.ipsr.ku.edu/ksdata/ksah/population/2pop14.pdf

The proposed Kaw Valley Sand Pit does NOT fit into a rural, residential lifestyle due to the noise and large, heavy trucks associated with it. A different manufacturing plant would fit here, something like a factory where people drive their cars to work and the noise is contained in the building. Or better yet, something that supports the rural, residential lifestyle like apartments, restaurants, and a grocery store. Even though it is a flood plain, I believe this area can be used to benefit the community like the golf course does. The proposed Kaw Valley sand pit would harm the land and the rural, residential lifestyle for decades.

I feel that when we bought our land in an area zoned rural residential, the local government was promising to support it as that: a rural, residential area. Please don't break that promise. The census confirms people want to live in Leavenworth County for the rural, residential lifestyle. We bought here for that reason.

Thank you for your time and consideration.

Annette S. Manion, O. D. annettejeff@kc.rr.com 913-422-5898

From: Joseph, Jeff

Sent:Monday, July 01, 2019 12:53 PMTo:Sloop, Stephanie; Voth, KrystalSubject:FW: Proposed Industrial Sand Pit

From: Jeannie Garies [mailto:jmgaries@gmail.com]

Sent: Sunday, June 30, 2019 9:10 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>

Subject: Proposed Industrial Sand Pit

Dear Jeff,

My name is Jeannie Garies and I live at 15115 Loring Road, Bonner Springs, KS 66012 in Leavenworth County. I want you to know how strongly I am opposed to this proposed industrial sand pit on 166th St. in our county. I move to Leavenworth County from Johnson County almost 20 years ago for the quiet, peaceful, rural community atmosphere. This sand pit will be a disaster to our quality of life!

- 1. Our roads now aren't maintained well enough to sustain the traffic we currently have. What will happen when 100 dump trucks weighing approximately 80,000 pounds are using them daily?
- 2. We have a lot of motorcycle and bicycle traffic as well as other special events that use our road. I'm very concerned about the safety of these individuals from the limited sight in the trucks and the sand and dust on the road.
- 3. The noise from the pumps, augers, conveyors, diesel engines, and truck traffic will be atrocious.
- 4. Our water tables are in this area. What will happen io our water if they start backfilling this pit with hazardous materials?
- 5. This sand will be hauled from 166th St. in Leavenworth County to a plant in Edwardsville in Wyandotte County. From my understanding the taxes are collected at point of sale. How does Leavenworth County benefit economically from this venture?

This industrial sand pit does not fit in our area at all and I want you to know about my concerns. I look forward to hearing your thoughts. Sincerely, Jeannie Garies

Jeannie Garies

15115 Loring Road, Bonner Springs, KS 66012

Cell: 816-560-8035

Email: jmgaries@gmail.com

"WE MAKE A LIVING BY WHAT WE GET. WE MAKE A LIFE BY WHAT WE GIVE." -Winston Churchill

GO NAVY BEAT ARMY!!!

Gus-Navy Swimming/Diving
5C '18

From: Joseph, Jeff

Sent: Monday, July 01, 2019 12:46 PM **To:** Sloop, Stephanie; Voth, Krystal

Subject: FW: SAND PIT

From: David Peck [mailto:dpeck2100@gmail.com]

Sent: Monday, July 01, 2019 10:55 AM

To: Joseph, Jeff <JJoseph@leavenworthcounty.gov>; Judy Peck <jpeck901@gmail.com>

Subject: SAND PIT

Mr. Joseph,

My wife and I are members of Burning Tree golf club. The proposed sand pit will ruin the golf experience and destroy that section of Leavenworth County. We request this proposal be denied. Thanks for considering our concerns.

__

David Peck

14439 Woodend Rd (within Leavenworth, County) Bonner Springs, KS 66012

RE: Sand Pit Proposed on 166th near Desoto

Dear Commissioner Kaaz,

I urge you to take a detailed examination of the proposed sand mine currently under consideration by the Planning Commission. It is difficult to find a way to reconcile the stated goal of County Government to improve the lives of all citizens in a rural environment with the industrial nature of the proposal. Should this project reach your agenda for consideration – please vote to reject it. I offer the following reasons (among many others):

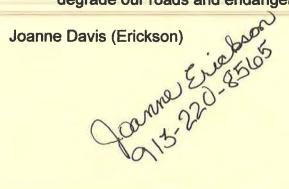
- 1. The Kaw Valley Materials technical reports on traffic and noise have changed substantially since originally submitted, and have not had sufficient time for a thorough review by county staff, residents or technical experts.
- 2. The truck traffic generated will at least double the number of heavy trucks on K32, significantly impacting all drivers on or crossing K32.
- 3. The truck traffic will conflict with times children are waiting for, dropped off from or traveling on their school buses....a minimum of four hours per day.

There is no enforcement mechanism or penalties to address in any meaningful way the following (among many others):

- a) Keeping truck traffic on the designated routes.
- b) Keeping noise levels within the approved limits.
- c) Keeping hours of operations for mining and trucking within the agreed periods.
- d) Fulfilling a restoration plan for the site.

I cannot find any benefit to the county from this project

- There is little (and possibly no net) tax benefit.
- There are no new jobs.
- It appears the "per ton" royalty the county is planning on collecting has been reduced from 5000 tons per day to 2000 tons per day, making this effort even less attractive
- Unapproved use of county roads by independent contractors will further degrade our roads and endanger all our residents and children



From: Joseph, Jeff

Sent: Tuesday, July 16, 2019 4:16 AM **To:** Voth, Krystal; Sloop, Stephanie

Subject: Fwd: SAND PIT

Sent from my iPhone

Begin forwarded message:

From: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Date: July 15, 2019 at 9:56:22 PM CDT

To: "Joseph, Jeff" <JJoseph@leavenworthcounty.gov>

Subject: Fwd: SAND PIT

For your records

Vicky Kaaz

Sent from my iPhone

Begin forwarded message:

From: "Van Parys, David" < <u>DVanParys@leavenworthcounty.gov</u>>

Date: July 15, 2019 at 4:51:17 PM CDT

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov >, "Loughry, Mark"

<mloughry@leavenworthcounty.gov>

Subject: RE: SAND PIT

Commr., Pass on to P&Z for inclusion in the record.

From: Kaaz, Vicky

Sent: Monday, July 15, 2019 3:11 PM

To: Loughry, Mark <mloughry@leavenworthcounty.gov>; Van Parys, David

<DVanParys@leavenworthcounty.gov>

Subject: Fwd: SAND PIT

Vicky Kaaz

Sent from my iPhone

Begin forwarded message:

From: kristi chavers < klchavers@hotmail.com>

Date: July 15, 2019 at 12:21:43 PM CDT

To: "vkaaz@leavenworthcounty.org" <vkaaz@leavenworthcounty.org>

Subject: SAND PIT

Ηi

My name is Kristi Chavers, my address is 14152 174th St Linwood, KS. I am writing in regards to the proposed sand pit by Kaw Valley. I have lived in southern Leavenworth county all but 6 1/2 years of my life, those 6 years I lived in Bonner Springs, which will also be affected by the proposed sand pit.

I did not attend the June meeting of the Planning & Zoning committee, we had been hit with the wrath of the May 28th tornado. My house was spared other then a few things blown away and broke. My mom and dad who are 78, their address is 17800 Cantrell Rd Linwood, didn't fare too well. Their barn, garage, trees were destroyed. Their house was basically gone and they are fortunate that the rebuild has started.

I did get to attend the Planning & Zoning meeting on July 10th at the Leavenworth county courthouse regarding the sand pit. I knew how I felt about this, I think it's a horrible idea with no benefit to anyone but Kaw Valley and the owner (who lives out of state). My main reason to attend that meeting was to hear if there were going to be any benefits to LV CO. There will only be 5 workers, hired from anywhere. LV CO would only receive \$30K a year from this project. \$30K is nothing.

I work in Overland Park, KS at a commodity trading company. My route every morning and night is going through DeSoto (which will be affected as well) passing right by the proposed sight at 166th & Lenape. So many bad things-ALL the trucks daily going down roads that are not ready for this kind of traffic. The water will be contaminated. The wildlife will be affected. The people who live close by. The people that farm close by. All the people that live in the area. The golf course- that does a lot of good for the community.

I ask you to carefully consider a NO vote on July 31st at 9AM at the courthouse.

Think for a minute- how would you like to live next to or farm by this or drive by this everyday.

Also, check the reputation of Kaw Valley.

Thank you Kristi Chavers 14152 174th St Linwood KS 66052 816-806-1416

I would love to hear your response.

Sent from Outlook

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Allen	14,385	13,371	-1,014	-7.0	1,692	1,789	-917	-6.4
Anderson	8,110	8,102	-8	-0.1	1,051	984	-75	-0.9
Atchison	16,774	16,924	150	0.9	2,192	1,852	-190	-1.1
Barber	5,307	4,861	-446	-8.4	534	662	-318	-6.0
Barton	28,205	27,674	-531	-1.9	3,639	3,047	-1,123	-4.0
Bourbon	15,379	15,173	-206	-1.3	2,187	1,888	-505	-3.3
Brown	10,724	9,984	-740	-6.9	1,394	1,381	-753	-7.0
Butler	59,484	65,880	6,396	10.8	7,817	5,501	4,080	6.9
Chase	3,030	2,790	-240	-7.9	321	353	-208	-6.9
Chautauqua	4,359	3,669	-690	-15.8	372	660	-402	-9.2
Cherokee	22,605	21,603	-1,002	-4.4	2,683	2,712	-973	-4.3
Cheyenne	3,165	2,726	-439	-13.9	235	426	-248	-7.8
Clark	2,390	2,215	-175	-7.3	249	304	-120	-5.0
Clay	8,822	8,535	-287	-3.3	1,013	1,103	-197	-2.2
Cloud	10,268	9,533	-735	-7.2	1,159	1,516	-378	-3.7
Coffey	8,865	8,601	-264	-3.0	980	1,080	-164	-1.8
Comanche	1,967	1,891	-76	-3.9	177	348	95	4.8
Cowley	36,291	36,311	20	0.1	4,719	4,215	-484	-1.3
Crawford	38,242	39,134	892	2.3	5,248	4,378	22	0.1
Decatur	3,472	2,961	-511	-14.7	234	519	-226	-6.5
Dickinson	19,344	19,754	410	2.1	2,277	2,303	436	2.3
Doniphan	8,249	7,945	-304	-3.7	828	796	-336	-4.1
Douglas	99,962	110,826	10,864	10.9	12,465	5,699	4,098	4.1
Edwards	3,449	3,037	-412	-11.9	406	414	-404	-11.7
Elk	3,261	2,882	-379	-11.6	336	488	-227	-7.0
Ellis	27,507	28,452	945	3.4	3,670	2,441	-284	-1.0
Ellsworth	6,525	6,497	-28	-0.4	527	834	279	4.3
Finney	40,523	36,776	-3,747	-9.2	7,776	1,948	-9,575	-23.6
Ford	32,458	33,848	1,390	4.3	6,662	2,464	-2,808	-8.7
Franklin	24,784	25,992	1,208	4.9	3,630	2,385	-37	-0.1
Geary	27,947	34,362	6,415	23.0	6,961	1,970	1,424	5.1
Gove	3,068	2,695	-373	-12.2	312	389	-296	-9.6
Graham	2,946	2,597	-349	-11.8	238	389	-198	-6.7
Grant	7,909	7,829	-80	-1.0	1,398	515	-963	-12.2
Gray	5,904	6,006	102	1.7	941	542	-297	-5.0
Greeley	1,534	1,247	-287	-18.7	155	161	-281	-18.3
Greenwood	7,673	6,689	-984	-12.8	757	1,118	-623	-8.1
Hamilton	2,670	2,690	20	0.7	446	297	-129	-4.8

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000	April 1, 2010	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
	Population	Population	Number	Percent	Births	Deaths*	Number	Percent
Harper	6,536	6,034	-502	-7.7	710	1,029	-183	-2.8
Harvey	32,869	34,684	1,815	5.5	4,409	3,570	976	3.0
Haskell	4,307	4,256	-51	-1.2	705	300	-456	-10.6
Hodgeman	2,085	1,916	-169	-8.1	216	240	-145	-7.0
Jackson	12,657	13,462	805	6.4	1,735	1,303	373	2.9
Jefferson	18,426	19,126	700	3.8	2,089	1,647	258	1.4
Jewell	3,791	3,077	-714	-18.8	245	475	-484	-12.8
Johnson	451,479	544,179	92,700	20.5	75,408	30,620	47,912	10.6
Kearny	4,531	3,977	-554	-12.2	655	362	-847	-18.7
Kingman	8,673	7,858	-815	-9.4	851	1,068	-598	-6.9
Kiowa	3,278	2,553	-725	-22.1	321	313	-733	-22.4
_abette	22,835	21,607	-1,228	-5.4	2,877	2,838	-1,267	-5.5
_ane	2,155	1,750	-405	-18.8	185	270	-320	-14.8
_eavenworth	68,691	76,227	7,536	11.0	9,392	5,321	3,465	5.0
_incoln	3,578	3,241	-337	-9.4	362	509	-190	-5.3
_inn	9,570	9,656	86	0.9	1,098	1,085	73	0.8
₋ogan	3,046	2,756	-290	-9.5	285	348	-227	- 7.5
_yon	35,935	33,690	-2,245	-6.2	5,181	2,856	-4,570	-12.7
McPherson	29,554	29,180	-374	-1.3	3,477	3,532	-319	-1.1
Marion	13,361	12,660	-701	-5.2	1,232	1,690	-243	-1.8
Marshall	10,965	10,117	-848	-7.7	1,192	1,355	-685	-6.2
Meade	4,631	4,575	-56	-1.2	592	476	-172	-3.7
Miami	28,351	32,787	4,436	15.6	3,972	2,516	2,980	10.5
Mitchell	6,932	6,373	-559	-8.1	656	957	-258	-3.7
Montgomery	36,254	35,471	-783	-2.2	4,783	4,662	-904	- 2.5
Morris	6,104	5,923	-181	-3.0	565	746	0	0.0
Morton	3,496	3,233	-263	-7.5	490	347	-406	-11.6
Nemaha	10,717	10,178	-539	-5.0	1,287	1,407	-419	-3.9
Neosho	16,997	16,512	-485	-2.9	2,144	1,999	-630	-3.7
Vess	3,454	3,107	-347	-10.0	297	477	-167	-4.8
Norton	5,953	5,671	-282	-4.7	502	688	-96	-1.6
Osage	16,712	16,295	-417	-2.5	1,865	1,834	-448	-2.7
Osborne	4,452	3,858	-594	-13.3	375	642	-327	- 7.3
Ottawa	6,163	6,091	-72	-1.2	683	747	-8	-0.1
Pawnee	7,233	6,973	-260	-3.6	673	809	-124	-1.7
Phillips	6,001	5,642	-359	-6.0	567	811	-115	-1.9
Pottawatomie	18,209	21,604	3,395	18.6	3,156	1,655	1,894	10.4
Pratt	9,647	9,656	9	0.1	1,188	1,181	2	0.0

Population Change and Net Migration in Kansas, by County, 2000-2010

County	April 1, 2000 Population	April 1, 2010 Population	Change 2000-2010		2001-2010	2001-2010	Net Migration, 2000-2010	
			Number	Percent	Births	Deaths*	Number	Percent
Rawlins	2,966	2,519	-447	-15.1	215	402	-260	-8.8
Reno	64,790	64,511	-279	-0.4	8,345	6,847	-1,777	-2.7
Republic	5,835	4,980	-855	-14.7	466	839	-482	-8.3
Rice	10,761	10,083	-678	-6.3	1,238	1,278	-638	-5.9
Riley	62,852	71,115	8,263	13.1	9,915	3,078	1,426	2.3
Rooks	5,685	5,181	-504	-8.9	619	696	-427	-7.5
Rush	3,551	3,307	-244	-6.9	337	511	-70	-2.0
Russell	7,370	6,970	-400	-5.4	756	1,026	-130	-1.8
Saline	53,597	55,606	2,009	3.7	7,978	5,132	-837	-1.6
Scott	5,120	4,936	-184	-3.6	674	547	-311	-6.1
Sedgwick	452,869	498,365	45,496	10.0	78,837	38,285	4,944	1.1
Seward	22,510	22,952	442	2.0	5,276	1,379	-3,455	-15.3
Shawnee	169,871	177,934	8,063	4.7	25,116	16,737	-316	-0.2
Sheridan	2,813	2,556	-257	-9.1	280	330	-207	-7.4
Sherman	6,760	6,010	-750	-11.1	756	730	-776	-11.5
Smith	4,536	3,853	-683	-15.1	326	663	-346	-7.6
Stafford	4,789	4,437	-352	-7.4	480	627	-205	-4.3
Stanton	2,406	2,235	-171	-7.1	374	187	-358	-14.9
Stevens	5,463	5,724	261	4.8	897	476	-160	-2.9
Sumner	25,946	24,132	-1,814	-7.0	3,088	2,724	-2,178	-8.4
Thomas	8,180	7,900	-280	-3.4	1,031	788	-523	-6.4
Trego	3,319	3,001	-318	-9.6	312	463	-167	-5.0
Wabaunsee	6,885	7,053	168	2.4	825	653	-4	-0.1
Wallace	1,749	1,485	-264	-15.1	150	188	-226	-12.9
Washington	6,483	5,799	-684	-10.6	612	883	-413	-6.4
Wichita	2,531	2,234	-297	-11.7	342	241	-398	-15.7
Wilson	10,332	9,409	-923	-8.9	1,228	1,368	-783	-7.6
Woodson	3,788	3,309	-479	-12.6	362	597	-244	-6.4
Wyandotte	157,882	157,505	-377	-0.2	28,330	14,312	-14,395	-9.1
Kansas	2,688,824	2,853,118	164,294	6.1	403,266	244,550	5,571	0.2

Source: U.S. Census Bureau, 2000 Census; 2010 Census; and CQR, http://www.census.gov/prod/cen2000/notes/cqr-ks.pdf (accessed May 9, 2006); Kansas Department of Health and Environment, *Annual Summary of Vital Statistics*, various issues.

^{*} Kansas total includes deaths not assigned to a county.

From: Tinberg Farms LLC <tinbergfarmsllc@hotmail.com>

Sent: Thursday, June 06, 2019 11:53 AM **To:** Voth, Krystal; Joseph, Jeff; PZ

Cc: Smith, Doug; Stieben, Mike; Loughry, Mark; jculbertson@leavenworthcounty.org; Kaaz,

Vicky; cschimke@leaveneorthcounty.org

Subject: June PZ meeting

In light of the recent tornado, we'd like to request that the Planning and Zoning board consider postponing the special use permit hearing regarding Kaw Valley Company Sandpit proposal.

As one of the property owners notified within the 1000 ft., we may not have had direct damage within the notification area but we WERE affected by the tornado. Due to the damage received in our community, we have had to redirect our focus to helping restore our community. Therefore, postponing this special use hearing would allow the residents that will be affected for years to come adequate time to clean up and then be able to refocus their attention on gathering facts and information on the sand pit proposal.

Kaw Valley Company was allowed to cancel/remove their special use permit hearing from May's agenda and added/moved to June's agenda. It would be in the best interest of all those affected within the 1000 ft., including property owners just mere feet from the notification area and numerous residents on the proposed routes be given the same respect.

Thank you for your consideration.

Respectfully,

Mark & Tracy Tinberg

Get Outlook for iOS

From: Sarah Williams <redbudranch@gmail.com>
Sent: Wednesday, February 26, 2020 7:03 PM

To: Stieben, Mike; Schimke, Chad; Smith, Doug; Culbertson, Jeff; Van Parys, David; Loughry,

Mark; PZ; Kaaz, Vicky

Subject: My photos -- driving behind a sand truck

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon, Commissioners and Staff,

Please enter this email into the Public Record for DEV-19-008, the proposed Lenape Sand Quarry.

Yesterday just before 11 AM, I turned north on 158th Street/County Road 2 from Loring Road. One block north, at Kreider Road, a long sand truck was turning north onto 158th Street directly in front of me. I recorded our journey and have included 2 pictures, below.

The truck was speeding, going 60 mph in a 50 mph zone, and then barreled past the "40 mph curve" warning sign at 50 mph (I photographed my speedometer), downhill and into a blind curve. It slammed on it's brakes, surprised, as it came upon "men working" signs, 2 flag men and orange cones narrowing the roadway to one lane. My pictures do not show the way the truck's rear tire/s clipped the cone, causing to wobble. Nor do they show the way my car was sandblasted by fine debris flying or blowing out of the bed of the truck.

My pictures do show that large trucks don't fit well or easily on these rural residential, non-commercial roads (RES No. 2009-50). They also show the horrible condition of 32 Highway, as both the truck and I made our way east. The ruts and holes in the road's surface caused the truck to ride outside the lane, straddling the outer white line. This was not the exception, but the rule, lasting most of our drive into Bonner Springs. This truck could not stay in it's lane -- on a state highway -- because of poor road conditions. How can you consider allowing hundreds of commercial trucks on our even more narrow, curvy, hilly, chip and seal, no shoulder, county roadways?

Even if Kaw Valley claims their trucks will stick to a proposed Haul Route, their independent contractor customers are not similarly obligated. While this would be most detrimental for the safety and well-being of the citizens of southern Leavenworth County, ALL taxpayers will feel the financial repercussions of lawsuits incurred by such negligence.

Respectfully,

Sarah Williams 12725 166th Street Linwood, KS 66052







From: Kaaz, Vicky

Sent:Monday, March 2, 2020 3:36 PMTo:Loughry, Mark; Voth, KrystalSubject:Fwd: Lenape Sand Quarry

Please make part of the public record.

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Wesley Mellies <corsawes@gmail.com>

Date: March 2, 2020 at 1:11:03 PM PST

To: "jeff@leavenworthcounty.gov" <jeff@leavenworthcounty.gov>

Cc: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>, "dsmith@leavenworth.gov"

<dsmith@leavenworth.gov>, "cschimke@leavenworth.gov" <cschimke@leavenworth.gov>,

"mstieben@leavenworth.gov" <mstieben@leavenworth.gov>

Subject: Re: Lenape Sand Quarry

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Wesley Mellies 725 Edwardsville Drive Edwardsville Kansas 66111. 913-406-2918

On Mon, Mar 2, 2020 at 3:02 PM Wesley Mellies < corsawes@gmail.com> wrote: I would like this to be in public record.

My name is Wesley Mellies and I used to live on Kreider Road from 1990 to 2000. I drive a truck for a living for a grocery warehouse in Kansas City and have been there for 30 plus years. For years my run took me from Bonner Springs to Desoto. This trip took me down the very roads in question. Living in south leavenworth county I became friends with several farmers and helped them with the harvest by hauling grain to the elevator. I did this several years on the same roads in question. I was asked my opinion of this and my reply was I do not know all the details and for that I was sent the Executive Summary. After reading this and thinking back to road conditions and all the 80k lb loads we hauled from the feilds in that area alone I never heard anyone complain. If im reading this the Sand Plant will pay for road maintenance for the traveled route at a cost of 0.15 cents a ton or roughly 6.00 per trip. The Sand Plant is also paying an extra 50k each year that could be used to upgrade roads like Kreider, Carntell, Archer and so on. The funds currently used to maintain that stretch of road would also now be available for repairing other roads. Looks like when it is done South Leavenworth County will have a beautiful Park and Lake. We all know the gravel roads in that area are in sad shape and need serious help. Maybe by using the Royalty and the current funds allocated to that stretch more could be done to help the other roads in the area. Seems to me if the income is coming from south Leavenworth County that is where the money needs to be reinvested. I was asked for my input and here it is.

REQUEST

My name is Andrea Harrington Summers, I live on the "proposed route" at 15251 Loring Rd Bonner Springs, KS 66012. My husband, Scott Summers and I oppose the special use permit for these reasons. If you allow this special use permit the entire De Soto bottoms will be an industrial disaster. This would be spread into hundreds of acres. Don't assume the truck count is real, there will be other contractor trucks that will scatter like ants. Right up County Road 2/158th, right by two schools. Property values will plummet, degradation and damage to the county will go on for 30-50 years or more. Kaw Valley has so many citations and delinquent violations from Mine Safety and Health Administration, MSHA, which is OSHA for mines, that I can't even understand why you would do business with this company. We have so many 18 wheeler trucks that come down our road and turn around in our driveway making a huge mess and no one cares. Our road has signs that say "Commercial Vehicles Excluded" yet there are soooo many 18 wheelers that come down our road, and again, no one cares. I know you are not happy with all of our rants and rightly so, but God says to honor thy neighbor, please do so and deny this special use Signed, and The Land permit.

My name is Ralph wiggins I live @ 12151 desoto rd linwood ks

I am requesting that these questions be included in the public record for the Lenape sand quarry proposal.

I drove to the Holiday sand quarry west of seven hwy south of bonner springs.

Having seen this operation I have some questions.

The trucks seem to be almost non stop. Many more than the 80 per day as proposed by the Lenape quarry project. Dose 80 trucks only include the Kaw Valley trucks with additional trucks operated by customers of Kaw Valley? Dose Kaw Valley have other trucking companies that will also use our roads to haul sand?

The road leading to holiday quarry has lots of sand on it. Should we expect our roads to be sand covered making them dangerous @40 to50 mph?

Holiday Quarry is west of seven hwy away from public view. Lenape sand quarry is on a well traveled road (166th st) the dredging pond looks like an industrial area. Can this be compatable with a residential agricultural area. After viewing Holiday quarry, I cannot believe anyone would buy a home in such an un slightly area. Are we willing to make south east Leavenworth County so undesirable.

The Lenape sand proposal states that the quarry will operate twelve hrs per day M- F.This will mean 12 hrs of noise and dust per day. Will other company trucks be allowed to operate on our roads 12 hrs per day? Are there any penalties for not compliance with the proposed plan? When the train blocks 161st st RR crossing will trucks use 166th st until the crossing is clear? Will trucks owned by other companies be bound by this proposal?

From: Loughry, Mark

Sent: Wednesday, March 11, 2020 2:33 PM

To: Voth, Krystal

Subject: FW: Another April 15th point of clarity

----Original Message-----

From: Nancy Carpenter <3carps@gmail.com> Sent: Wednesday, March 11, 2020 2:19 PM

To: Loughry, Mark <mloughry@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov> Cc: Stieben, Mike <MStieben@leavenworthcounty.gov>; Schimke, Chad <CSchimke@leavenworthcounty.gov>; Smith,

Doug <DSmith@leavenworthcounty.gov>; Kaaz, Vicky <VKaaz@leavenworthcounty.gov>; Culbertson, Jeff

<jeffc@leavenworthcounty.gov>

Subject: Another April 15th point of clarity

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon -

Thank you for your consideration as rules for the April 15th public hearing on the Lenape Sand Quarry are being set.

This morning, you spoke of allowing "1000 footers" to pool their time for a presentation if they selected a spokesperson and authorized their wishes in a notarized document.

Would you consider extending this to allow any parcel owner, either within the 1000 foot radius or along the proposed haul route, to designate a spokesperson? This would be with the understanding that the spokesperson would be limited to a three minute statement and that the County would receive a notarized authorization that identifies the parcel owner and designates the spokesperson. It would also be understood that the spokesperson would not be allowed to speak later on their own behalf.

Thank you for giving this some thought. I look forward to your feedback on this matter.

I would like this communication to become a part of the public record for DEV 19-008.

Respectfully -Nancy Carpenter

Sent from my iPad

From: Kaaz, Vicky

Sent: Saturday, March 14, 2020 7:24 PM

To: Lola Otting; Voth, Krystal

Subject: Re: Sand Quarry

Ms. Otting,

Your email will be made part of the record.

Vicky Kaaz

Sent from my iPhone

On Mar 14, 2020, at 4:06 PM, Lola Otting <lolaotting@att.net> wrote:

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

We want to voice our opinion on the sand quarry that is to be put on land owned by Lyn Spring Knudson. We support Lyn in her effort to acquire this project on her land and think it will be financially good for Leavenworth County. We request that this email be made part of the Public Record.

Gerald and Lola Otting

From: Sarah Williams <redbudranch@gmail.com>

Sent: Monday, March 16, 2020 4:47 PM

To: Stieben, Mike; Schimke, Chad; Kaaz, Vicky; Culbertson, Jeff; Smith, Doug; Van Parys,

David; Loughry, Mark; PZ

Subject: Today's Haul Route Rollover -- Loring Road & Loring Drive/Lane

Follow Up Flag: Follow up Flag Status: Flagged

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

None of our non-commercial, rural roadways are safe for hundreds of commercial trucks per day, not even Kaw Valley's proposed Haul Route. Please take note of today's accident (two pictures below).

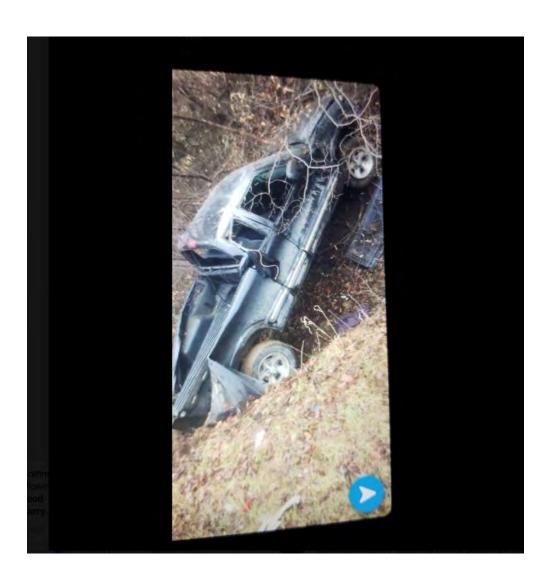
When sharing my concerns about the frequent wrecks in southern Leavenworth County, I heard "...we never know if someone is drinking, or texting, or driving while somehow impaired." I will add that, ostensibly, some drivers engage in those same activities on every roadway; but cars seem to leave the narrow, curvy, hilly roadways in my community with extraordinary frequency.

Further, many people are rescued by a friendly neighbor with a tractor, meaning the incidents are not officially counted in traffic incident reports, allowing Leavenworth County to believe its roadways in the southern region to be more safe than they are in reality.

Kindly include this email and photos in the Public Record for DEV-19-008.

Stay healthy,

Sarah Williams 12725 166th Street Linwood





March 18, 2020

14439 Woodend Rd Bonner Springs, KS (Inside Leavenworth County)

RE: Lenape Sand Quarry DEV 19-008

- Blowing Sand Pictures and Videos
- Sand on Public Roadways
- Truck Driving Patterns

Chairman Smith

This letter is in reference to concerns over blowing sand from the proposed quarry and truck driving patterns. It is requested that this letter and all attachments be entered into the official record for this matter.

The applicant has stated that blowing sand should not be a concern. They suggest that the proposed Lenape Sand Quarry should be compared in size and operations to the Holiday Sand Quarry near 43rd and Frisbee Road in Shawnee. The Plant Operations Memorandum dated January 28, 2019 states the following:

Example Sand Quarry Site at 43rd & Frisbee Road in Shawnee, Kansas

43rd & Frisbee Road Sand Quarry: An open-pit off-river sand quarry site was opened in 2009 in northwest Shawnee by 43rd Street & Frisbee Road by Holiday Sand & Gravel. The proposed Lenape Sand Quarry would be near-identical in operations to this site. The 43rd & Frisbee site includes a large dredging pond, a consolidator/separator processing plant and a truck scale. The plant has been in operation for nine years and is located approximately seven miles from the proposed Lenape site.

Blowing Sand

I wish to point out that blowing sand from the Holiday Quarry is a constant problem, and I expect that the Lenape Sand Quarry will have similar or worse problems. I have personally driven by the Holiday site many times, and have noticed sand blowing from the operation on multiple occasions.

The blowing sand of the Holiday Sand Quarry usually only impacts lightly travelled streets and relatively isolated residents. The Lenape Sand Quarry is adjacent to two major heavily travelled roadways of Leavenworth County: 166th Street and Golden Road. Several county residents live on these roads and others live on Lenape Road and on 161st Street. All of these roadways and residents will be significantly impacted.

The pictures below are mine from February 2019 and March 2020. Additional pictures are from Tyler, a resident adjacent to the Holiday Sand Quarry (Wilder, Kansas). Tyler has stated in a "text" to me that the blowing sand has occurred several times a year for the four years he has owned his home.

These pictures and some videos are available to view in higher resolution on-line at link below and on the flash drive provided to you

https://www.flickr.com/photos/46064258@N08/albums/72157713415831683

March 8, 2020



March 8, 2020



May 5, 2019 (sand blowing over the lake – bit hard to see)



April 27, 2019 (taken by Tyler from Wilder at his house)



April 27, 2019 (Taken by Tyler from Wilder at his house)



Sand on Roadways

Sand on the roadways at the Holiday Sand Quarry is ever present. It is on the roads, piled deep along the curbs, and windrowed along the driving lanes. This sand is deposited from a combination of windblown particles and shaken from the beds and undercarriages of the sand hauling trucks.

The pictures below illustrate only a few examples of the extent of loose sand on the roadways, primarily 43rd Street and at K7. Close observation in person (no pictures) will also show sand accumulation on the edge of the pavement of K7 north and south of 43rd Street, and as KDOT uses salt for winter road deicing, there is no mystery as to where it came from. There is no reason to expect less sand from Lenape Sand Quarry to be deposited on Golden Road, 158th Street and Loring Road.

This is a dangerous situation on Leavenworth County roads. Many vehicles already leave these roadways and crash even without the sand. Sand will abrade and obscure the white and yellow lane markers removing visual cues for drivers. Sand will reduce braking effectiveness. While some sand may be washed off the roadway during rain events, it will soon be replenished by the approximately 100 loaded trucks per day using the roadway and the windblown sand.

43rd and K7 looking East



Same Place – September 2012 (Google Maps)



On 43rd near K7 Looking west



Same Place – Sept 2012 (Google Maps)



West of K7 on 43rd - Sand on edge of pavement



Page **6** of 8, McDonald, 14439 Woodend Road, March 18, 2020

Build up of Sand on 43rd Street west of K7 Note the ridge of sand built up along the roadway covering the curb



Same Place - September 2012 (Google Maps)



Truck Driving Behavior and Safety

Everyone expects the public roadways to be safe for all types of vehicles. Tyler of Wilder reports that he drives on 43rd Street to K7 every workday. He explained to me that the sand trucks (loaded and empty) tend to drive in the middle of the road, and turn wide through the corners, especially when turning onto K7. He stated that he never relied on being seen by the truck drivers when he was behind or alongside them and is always concerned for his safety until he is on K7.

The intersection at 43rd/K7 is similar to intersections of 166th/Golden Road and 161st/Golden Road. Expect trucks to NOT stop except at the last minute if they can find a way to keep their momentum when turning onto the larger roadway from these local non-commercial roadways.

Conclusion

I urge you to consider the impact on blowing and dropped sand on the residents and motorists of the area. This ongoing activity will certainly decrease property values, and increase accidents. I further ask that you seek professional opinions on truck driver behavior in these circumstances.

Between the loose sand, the number and behavior of trucks travelling the routes, condition and alignment of the roadways and many other related factors I urge you to deny the request for a Special Use Permit for Lenape Sand Quarry.

Respectfull

Michael G. McDonald

14439 Woodend Road

Bonner Springs, KS 66012 (in Leavenworth County)

mgmlvks@aol.com

913-547-2165

- Attachment: Thumb Drive with higher Resolution Photos and videos.
- Copies of this letter provided to all Commissioners by name
- Copy of Chairman Smith's letter provided to County Counselor and Interim Planning Director
- Similar letter provided to County Sheriff

From: Kaaz, Vicky

Sent:Tuesday, April 14, 2020 2:01 PMTo:Voth, Krystal; Loughry, MarkSubject:Fwd: Kaw Valley Sand project

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Rene Morris <Rene.Morris@fbfs.com>
Date: April 14, 2020 at 1:49:14 PM CDT

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Subject: Kaw Valley Sand project

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Vicki-

I am writing to express my overwhelming support of the upcoming Kaw Valley Sand's sand mining project. This has the potential to provide significant financial impact on the county in multiple ways. Landowners in turn inject valuable spending dollars into the economy. While only a small area of roadway is impacted, Kaw Valley Sand's position to provide the monies required for general upkeep shows their commitment to maintain the integrity of Leavenworth County's roadways.

The Landowner (Lyn Spring Knutson) has made certain that all federal and State regulations required of this project have been thoroughly researched and approved. The family has not sold the ground and does have a future plan for the land once the lease has been fulfilled that will add to the betterment of the immediate and surrounding properties.

The impact on the county and its citizens is tremendously positive. Please make this letter part of the public record for this project.

Sincerely,

Kirk Coen

9340 Parallel Parkway

Kansas City, KS 66112

Disclaimer:

This email message and any attachments are intended only for the use of the intended recipient, and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to this email, and delete or destroy all copies of the original message and attachments thereto. Email sent to or from FBL Financial Group, Inc. and its Affiliates may be retained as required by law, regulation or business practice.

For security reasons we strongly discourage the submission of sensitive or personal information, such as credit card numbers, social security numbers, or bank account information, through email. Email may not be a secure method of communication. Any email may be copied and held by various computers as it makes its way from our server to yours. Persons not participating in our communications may be able to intercept the communications while being transmitted or stored. If you prefer that we communicate with you via a non-electronic method, please advise us of the same.

From: Loughry, Mark

Sent: Tuesday, June 23, 2020 8:00 AM

To: Voth, Krystal

Subject: FW: Proposed sand pit at 166 th street & Lenape Road

----Original Message-----

From: Ron Volden <dronkarenvol@comcast.net>

Sent: Monday, June 22, 2020 7:56 PM To: bocc <bocc@leavenworthcounty.gov>

Subject: Proposed sand pit at 166 th street & Lenape Road

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

This email is to protest the development of the proposed sand pot at the above mentioned farm. I am opposed to this project for many reasons; it is not in the best interest of the people of the area nor would it be friendly to the environment!

Ron Volden Leavenworth Co resident.

Sent from my iPhone

I am Nancy Carpenter, 14681 Kreider Road in Bonner Springs.

It should come as no surprise to you that I have been carefully studying the Lenape Sand Quarry documents provided by Kaw Valley and sealed by an engineer with Cook, Flatt, and Strobel. The Traffic Impact Study dated January 9, 2020 is of particular interest to me.

There are two photographs of 158th Street in the study, one taken at the northern end just south of Loring and the other at the southern end of the road. Page 13 shows a diagram of a "TYPICAL section" of 158th Street. It details a two foot PAVED shoulder, next to a one to four foot graded shoulder with a side slope beyond that. The accompanying text does make an acknowledgement that some areas only have the minimum shoulder width and a narrow break from the side slope. It also says the sides APPEAR to be graded to a recoverable slope of 4:1. I take recoverable to mean a slope from which a vehicle could successfully remount the paved surface if it ran off the road.

I would be remiss if I waited until the April 15th public hearing to tell you that this information is incorrect. I know this because Sarah Williams and I spent two afternoons taking measurements on 158th Street as we doubted the accuracy of the claims made on page 13. On January 15th, Commissioner Kaaz and Commissioner Schimke both told us that they didn't want us going out on the roads to take measurements, but we had no choice.

The 158th Street piece of the proposed haul route is just over a mile long. On our first afternoon, we walked three tenths of a mile from the northern end and randomly measured looking for a recoverable roadside. We took dozens of pictures and found NO spot that had a 4:1 or flatter slope. Meaning that along this typical stretch of 158th Street, if a car or truck goes off the road, in all likelihood, it will not be able to safely make it back onto the road surface.

On our second afternoon, we walked three tenths of a mile from the southern end and randomly measured looking for a two foot paved shoulder. We again took dozens of

pictures and found only one spot, right beside a driveway, where there was a two foot, PAVED shoulder. At places, the paved shoulder was as narrow as 4 inches. Beyond the paved shoulder, packed gravel was found. Even combining the paved shoulder and the packed gravel, we did not find a two foot edge. As we did our shoulder measurements, we also did random recoverable slope measurements. We found one area that barely passed as recoverable. We also found fresh tire marks at a spot where it was obvious that a vehicle had not recovered without assistance.

On the two stretches we studied, we found that the "TYPICAL" road was nothing like the one described on page 13 of the Traffic Impact Study. The funny part is, we studied the safest sections of the road. We avoided the in-between section where at places you'll find no shoulder and a sheer drop off - we knew that would be an extremely dangerous section to walk.

You have spoken of wanting to look at evidence. You have asked us to let you know when we find problems with this proposal. This is a huge problem. There are supposed facts given in the Traffic Impact Study that were not checked and that are not verifiable. If you look to this road description in your decision making process, you will be relying on inaccurate information.

I have debated about what I'd like to see happen to rectify this matter. As I talked it over with my husband, he reminded me of the 1981 Hyatt Regency tragedy when engineering inaccuracies were ignored ... 114 people died.

It is my hope that you take this information to your consulting firm for discussion, then reject this document along with any others sealed by the engineer of record. I also suggest that you consult legal counsel as to the process of filing a complaint with the Kansas Board of Technical Professionals against that engineer on behalf of the County. If the County chooses to ignore this matter, it will fall to its citizens to file a complaint. If the County chooses to ignore this matter and eventually approves the Lenape Sand Quarry application, you will be culpable when accidents occur that are tied to sand truck traffic being allowed to travel these unsuitable roads.

I would like my statement to become a part of the DEV 19-008 public record. As always, thank you for your time.

February 20, 2020 – looking for a 4:1 recoverable slope on 158th Street south of Loring



February 22, 2020 – looking for a two foot paved shoulder on 158th Street north of the turn onto Golden Road





February 22, 2020 – fresh tracks of a vehicle on 158^{th} Street that did not recover without assistance

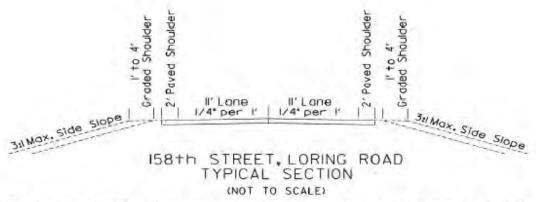


158th Street South of Loring Road, Looking South

158th Street: Major Collector, Two 11 ft Lanes, 2 ft paved shoulders, Posted Speed Limit 50 mph with Advisory Speed Limits of 35 mph and 40 mph, AADT = 1602 vpd



158th Street Looking South Towards Curve to Golden Road



The shoulders along the different segments of the proposed quarry truck haul route vary in width. According to AASHTO Section 4.4.1, General Characteristics (of Shoulders) the "graded" width of shoulder is that measured from the edge of the traveled way to the intersection of the shoulder slope and the foreslope planes. Shoulders may be surfaced either full or partial width. Golden Road, 158th Street and Loring Road have overall pavement widths consisting of a 2 ft wide paved edge shoulder and 11 ft wide lanes. In addition, the graded area along the edge of pavement can range in width from 1 ft to 4 ft. According to AASHTO Section 4.2.2, Width of Shoulders, a minimum shoulder width of 2 ft should be considered for low-volume highways, and a 6 to 8 ft shoulder width is preferable. With the available right-of-way and the presence of open roadside ditches along both sides of nearly all of the roadway segments in the proposed quarry truck haul route, there are some areas with minimal shoulder widths where the break between the edge of pavement and the foreslope plane is only 1 ft. The foreslopes appear to have been graded at 4:1 maximum slopes, which the AASHTO Roadside Design Guide designates as recoverable.

From: Loughry, Mark

Sent: Thursday, February 13, 2020 8:06 AM

To: Voth, Krystal

Subject: FW: Public Hearing guideline request

For the record.

From: P S <cheftech65@gmail.com>

Sent: Wednesday, February 12, 2020 6:26 PM

To: bocc <bocc@leavenworthcounty.gov>; Smith, Doug <DSmith@leavenworthcounty.gov>; Culbertson, Jeff

<jeffc@leavenworthcounty.gov>; Kaaz, Vicky <VKaaz@leavenworthcounty.gov>; Schimke, Chad
<CSchimke@leavenworthcounty.gov>; Stieben, Mike <MStieben@leavenworthcounty.gov>

Subject: Public Hearing guideline request

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

At today's BOCC meeting it was requested that residents send their concerns in writing. So, although I traveled to that meeting I decided to send an email rather than address you today.

My request has to do with the upcoming decisions you will be making as a board regarding the guidelines for the public hearing on April 15th. It is certainly important to prioritize those in the 1,000 feet area and those directly on the (current) proposed truck route. However, I would like to request that all county residents, particularly those of us in the Southern Leavenworth County area also have concerns that need to be heard.

We live less than 5 miles from the proposed Kaw Valley sand pit site. And therefore, we have every reason to believe that our property values could be adversely affected. We purchased our home 20 years ago and have, of course, invested tens of thousands of dollars into this property. As property is devalued directly south of us that effect will creep toward us, as we know that part of real estate valuation is based on comparable home sales in that area.

Even if we don't live directly on the truck route (as currently proposed) these are the roads we use. We often go south and through DeSoto as we have a son who lives in that town. And as it is a major entrance into our county we sometimes go that way to and from southern Johnson and Douglas counties. There will also be safety concerns as we have 2 children and 5 grandsons who live in Bonner Springs- your decision on this has an impact on them as well.

As taxpayers, we have to be aware that in the future, if this application were to be approved that the safety hazards you have heard so much about will have an inevitable impact on all the residents of our county. There will be accidents, as the traffic is impacted and the road conditions worsen. And there will be economic impacts to our county which will lead to increased costs and taxes on the county as a whole. The minimal economic benefit that is to come from Kaw Valley Sand will not offset the future costs that will be incurred.

Please consider this request to allow at least a portion of time open for those residents who are outside of the scope of the 1,000 feet and the proposed truck route. We also have valid concerns and will be affected for years to come if this proposal is not rejected.

Thank you, Patti Shirley 15177 158th St Bonner Springs, KS I am speaking in opposition to the dev 19 008 sand mining project. Here are my concerns.

First this project will destroy many acres of productive agricultural land forever. My house was built in 1949 this was before it was rezoned industrial. My property should not be considered a commercial or industrial zoning in my opinion.

Water contamination is of great concern to myself and my neighbors. Apparently this is of no concern to the applicant of this project. We are required to prove the mining operation damaged the ground water supply then the state will fine them. What a deal!

Noise levels of not only the mining operation but the customers trucks going by my house is not something I want to deal with. I am the invisable man. Noise levels were given for the golf course and residents north of golden rd but nothing for my house, neither was I listed as an adjacent property owner. Selling my home with all this activity will be nearly impossible and will greatly reduce the value

In my opinion the proposed route is unrealistic. Lenape rd is called a gravel road and at times it is.when the county brings gravel and regrades it works well until it rains or snows. It then becomes a mud road often with ruts so deep that it is hard to get through. I can only imagine the ruts that would be caused by 80 round trips per day by heavy trucks. Lenape road is not wide enough for two trucks to pass safely. To bring this road up to commercial standards cost 2 to 3 million per mile. This road from 166th to 159th is approximately 1 half mile costing at least 1 million. Who pays? I understand

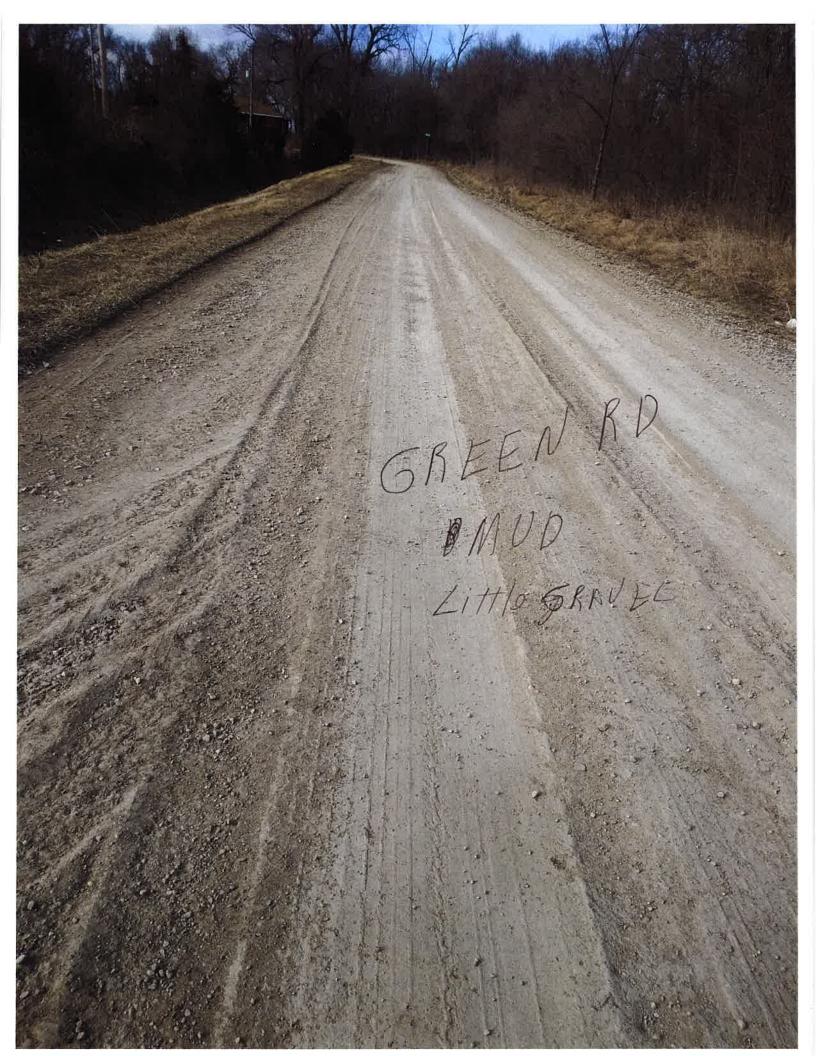
that the county receives 50,000 fee per year and15 cents per ton this is 600 per day @4000 tons per day. This is about 200000 per year.

If this isn't bad enough, the RR crossing @ 161st is often blocked by a stopped train sometines for hours. I believe when this occurs kaw valley trucks will go west on green rd if they can make the turn @ Desoto rd(some trucks don't make it and have to be to be towed) then tpamnesty to 159th st then back to Lenape and on to 166st st north to golden rd.I believe this will cause kaw valley to use 166st and avoid the hassle.

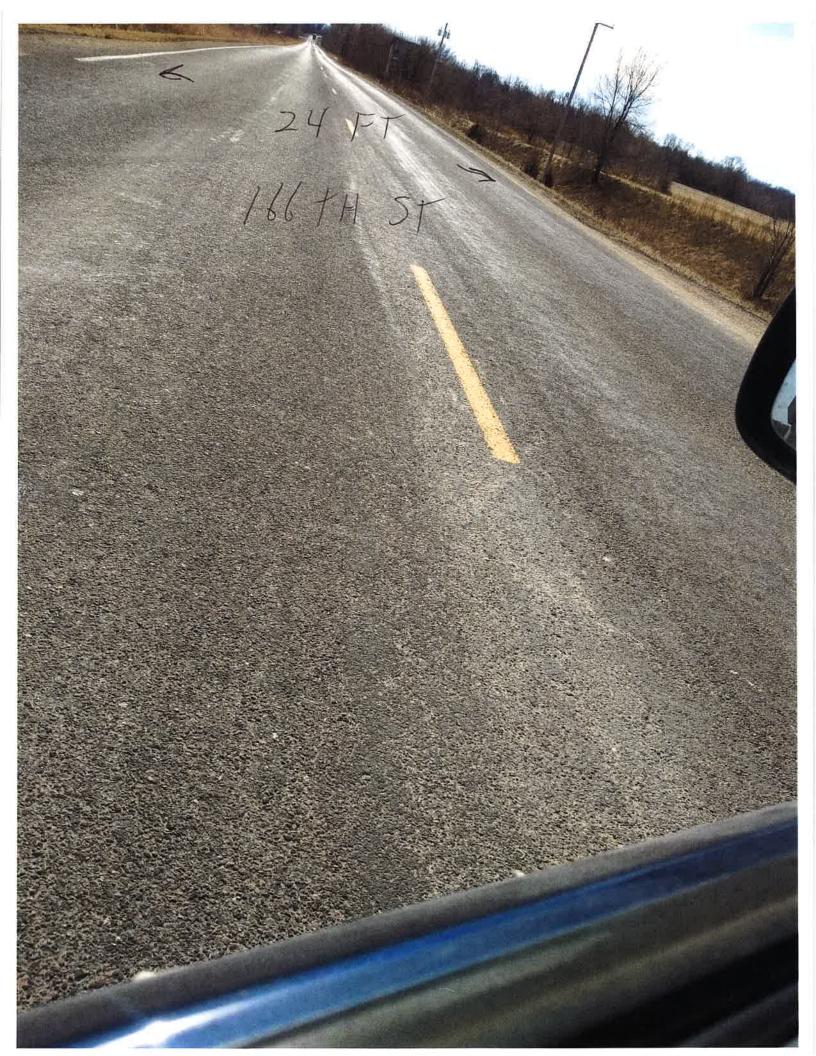
Ralph Aveggin 1215/ Desoto RV Linwood K5 66052

It seems a good deal for Kaw Valley companies but a poor deal for taxpayers. I believe we will be subsidizing the destruction of our roads and properties.

The best solution is to say NO!









From: Loughry, Mark

Sent: Tuesday, February 18, 2020 8:05 AM

To: Voth, Krystal

Subject: FW: More information needed from Kaw Valley

For the record.

From: Ronald Pettibon <2007richpettibon@gmail.com>

Sent: Monday, February 17, 2020 7:34 PM **To:** bocc <bocc@leavenworthcounty.gov>

Subject: More information needed from Kaw Valley

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Leavenworth County Commissioners,

Regarding the public hearing scheduled for April 15, 2020, to discuss the Lenape Sand Quarry project, I understand and support the plan to give priority to speakers who live within 1,000 feet of the proposed operation.

I would like to submit two additional items for your consideration:

- I request that you give secondary priority to residents who own property along the proposed truck route, and officially categorize those residents as being impacted by this project. It is not difficult to show how the substantial increase in truck traffic in this area would impact the safety, health, and quality of life of these residents, even though their property is farther away from the sand plant operation itself.
- I would also request that Kaw Valley be required to provide reasonable, substantiated estimates of truck traffic volume anticipated from Kaw Valley **customers**. If that information has already been provided, I apologize for the request and I would appreciate it if you would send me the information.

Kaw Valley anticipates 80 round trips per day for its own trucks but does not specify the number of **customer** trucks that would be added to the area daily. Citing the Introduction section of the Plant Operations Memorandum section of the Kaw Valley proposal dated June 28, 2019:

"Other companies could also send trucks to the quarry to load sand and send it to construction sites or concrete mixing plants."

The only potential limit provided by Kaw Valley is in the sentence that follows:

"The majority of the sand quarried from the facility by Kaw Valley would be loaded onto their own trucks and hauled to the Edwardsville processing site for drying and shipping to customers."

A literal interpretation of this verbiage would indicate that Kaw Valley customers would make **fewer than 80 round trips per day** (since Kaw Valley would haul a majority). Is that a reasonable/logical estimate?

- Why would Kaw Valley want to limit the number of customers loading directly from the Lenape operation?
- Why would a customer choose to go to Edwardsville to purchase products when the customer could purchase the same product directly from the Lenape operation and avoid the additional charge Kaw Valley will impose to recoup hauling fees to Edwardsville?

- Kaw Valley plans to utilize a separator as well as a consolidator at the Lenape location. That equipment will allow Kaw Valley to separate various sizes of river gravel from the sand aggregate and then re-collect the necessary sand aggregate required for asphalt companies, ready mix companies, state highway projects, and state and local ice control sand, etc. The collector will also enable the production of multiple types of concrete sand requiring varying percentages of aggregates. Only dry sand, which is a small percentage of Kaw Valley products, would be available in Edwardsville only.
- Would Kaw Valley prevent customers from purchasing sand from the Lenape operation after 3pm?

In the absence of a limit or reasonable estimate, my fear is that the actual impact to residents living and traveling along this route would be **much more substantial than anticipated**. If Kaw Valley would provide this feedback, it would better enable residents to respond appropriately.

Thank you.

Rich Pettibon
Former KDOT and ACI Aggregate Field Testing Technician

From: Tracy Tinberg <tracytinberg@hotmail.com>

Sent: Monday, February 17, 2020 3:31 PM

To: bocc

Cc: Loughry, Mark; Van Parys, David; Voth, Krystal

Subject: An Interested Party

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

I am contacting you about the discussion at the last BOCC meeting on February 12th regarding the possibility of limiting an interested parties right to give testimony at the upcoming PUBLIC HEARING regarding the Kaw Valley Lenape Sand Quarry plus limiting a speaker to one per household. WHAT. THE. HECK!

All interested parties have a right to speak at a public hearing. Isn't that the purpose of a public hearing and the notification process via mail and by posting a sign at the said property? The process is to allow any interested parties the right to be heard whether they are for or against a property change or SUP.

It is prejudice to arbitrarily change the process because you don't want to hear from the interested parties that will be impacted by the sand quarry. All of you commissioners were voted into office by citizens of this county. As representatives of the citizens, you are obligated to listen to everyone that has an interest at any public hearing.

I have attended multiple BOCC meetings along with reviewing video footage of other BOCC meetings. Upon observing these meetings, the following have been allowed to speak: the applicant(s); Those in favor of; those opposed within 1000 feet; Then anyone else which would be considered interested parties. Not at one time did the BOCC limit testimony to one speaker per household!

According to KSA 12-757(b) requires "At any public hearing held to consider a proposed rezoning, an opportunity shall be granted to **interested parties** to be heard." In Article 22, Sections 2 and 3 of the Zoning and Subdivision Regulations relating to SUPs, a public hearing occurs, at the Planning Commission level.

The interested parties did voice their concerns at the Planning Commission meeting. However, that meeting was in July 2019 and the record of hearing is now insufficient due to the significant changes in Kaw Valley's ever changing proposal. Since the inception of this ill thought out project, Kaw Valley has submitted four different proposals for the SUP. Each proposal was lacking information and/or vague in details.

In order to ensure that all interested parties are afforded the statutory right to be heard on all of the relevant issues, additional testimony is necessary. Also, the statute refers to "interested parties." Since this operation will impact an area greater than 1000 feet, I would argue that interested parties extend much further. Nor should you limit one speaker per household.

This SUP is completely different than giving approval for a home office or doggy daycare. This SUP should not be taken lightly since it will have a negative impact on the entire area for 25 plus years.

Respectfully, Tracy Tinberg "An Interested Party"

From: Loughry, Mark

Sent: Friday, February 21, 2020 5:26 PM

To: Voth, Krystal

Subject: Fwd: More information needed from Kaw Valley

For the record

Begin forwarded message:

From: Ronald Pettibon <2007richpettibon@gmail.com>

Date: February 21, 2020 at 5:10:17 PM CST **To:** bocc <bocc@leavenworthcounty.gov>

Subject: More information needed from Kaw Valley

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please add this letter to the public record regarding the Lenape Sand Quarry proposal.

The email below was originally sent on February 17, 2020, but it is being resent to ensure that it will be added to the public record.

Leavenworth County Commissioners,

Regarding the public hearing scheduled for April 15, 2020, to discuss the Lenape Sand Quarry project, I understand and support the plan to give priority to speakers who live within 1,000 feet of the proposed operation.

I would like to submit two additional items for your consideration:

- I request that you give secondary priority to residents who own property along the proposed truck route, and officially categorize those residents as being impacted by this project. It is not difficult to show how the substantial increase in truck traffic in this area would impact the safety, health, and quality of life of these residents, even though their property is farther away from the sand plant operation itself.
- I would also request that Kaw Valley be required to provide reasonable, substantiated estimates of truck traffic volume anticipated from Kaw Valley **customers**. If that information has already been provided, I apologize for the request and I would appreciate it if you would send me the information.

Kaw Valley anticipates 80 round trips per day for its own trucks but does not specify the number of **customer** trucks that would be added to the area daily. Citing the Introduction section of the Plant Operations Memorandum section of the Kaw Valley proposal dated June 28, 2019:

"Other companies could also send trucks to the quarry to load sand and send it to construction sites or concrete mixing plants."

The only potential limit provided by Kaw Valley is in the sentence that follows:

"The majority of the sand quarried from the facility by Kaw Valley would be loaded onto their own trucks and hauled to the Edwardsville processing site for drying and shipping to customers."

A literal interpretation of this verbiage would indicate that Kaw Valley customers would make **fewer than 80 round trips per day** (since Kaw Valley would haul a majority). Is that a reasonable/logical estimate?

- Why would Kaw Valley want to limit the number of customers loading directly from the Lenape operation?
- Why would a customer choose to go to Edwardsville to purchase products when the customer could purchase the same product directly from the Lenape operation and avoid the additional charge Kaw Valley will impose to recoup hauling fees to Edwardsville?
- Kaw Valley plans to utilize a separator as well as a consolidator at the Lenape location. That equipment will allow Kaw Valley to separate various sizes of river gravel from the sand aggregate and then re-collect the necessary sand aggregate required for asphalt companies, ready mix companies, state highway projects, and state and local ice control sand, etc. The collector will also enable the production of multiple types of concrete sand requiring varying percentages of aggregates. Only dry sand, which is a small percentage of Kaw Valley products, would be available in Edwardsville only.
- Would Kaw Valley prevent customers from purchasing sand from the Lenape operation after 3pm?

In the absence of a limit or reasonable estimate, my fear is that the actual impact to residents living and traveling along this route would be **much more substantial than anticipated**. If Kaw Valley would provide this feedback, it would better enable residents to respond appropriately.

Thank you.

Rich Pettibon
Former KDOT and ACI Aggregate Field Testing Technician

From: Loughry, Mark

Sent: Monday, February 24, 2020 8:11 AM

To: Voth, Krystal

Subject: FW: Lenape Sand Quarry

Record

From: Amber Gallagher <gallagher06@icloud.com>

Sent: Sunday, February 23, 2020 4:52 PM **To:** bocc <bocc@leavenworthcounty.gov>

Subject: Lenape Sand Quarry

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

BOCC members,

Please make this communicate part of public record for the Lenape Sand Quarry.

I would like to voice my concern about the proposed Sand Quarry in Lenape. We live exactly at the crossroads of the proposed truck traffic for the quarry. I have included a picture below for reference of the intersection of 158th and Golden Rd. which is the newest in a long line of failed proposed routes.

Not only would trucks be crossing lanes of traffic going southbound with no stop sign or traffic lights to stop traffic coming around the curve, putting everyone involved at risk, but they will also be pulling out into northbound traffic at a blind curve.

Our driveway is circled in orange in the picture below. Pulling out of our driveway to head north on 158th is always a bit hazardous and we are very cautious to watch for traffic coming around the curve from Golden Rd. I can not imagine the increase in hazard that our family will be put in should numerous dump trucks be allowed to use this intersection as well.

We have watched numerous cars run off that curve to the east side of the road and have to be pulled out, sometimes by us! The shoulder drops abruptly and if a car veers to the right too much at the curve they are instantly in the ditch. Dump trucks are much heavier and wider than your average car. They would slip off even easier!

Lastly, we drive these roads every day. I am not a professional at traffic studies, but I have a lot of experience driving these roads and in my experience, they are in no way safe for heavy truck traffic. Sometimes I cringe passing a school bus or other larger vehicle on that curve because there just isn't a lot of "wiggle room".

Please remember that you are elected officials who represent the people of Leavenworth County and the people you represent say no to this endeavor and so should you.

"...and that government of the people, by the people, for the people, shall not perish from the earth." - Abraham Lincoln

Thank you, Amber Gallagher



From: Nancy Carpenter <3carps@gmail.com>
Sent: Tuesday, February 25, 2020 3:53 PM

To: Van Parys, David

Cc: Schimke, Chad; Stieben, Mike; Voth, Krystal; jamckinney@shb.com; Smith, Doug; Kaaz,

Vicky; Culbertson, Jeff

Subject: Re: Kaw Valley electronic file documents

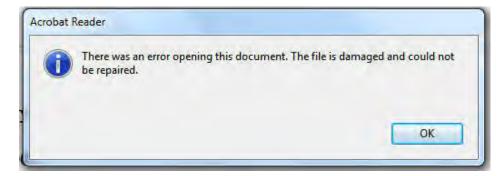
Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon -

My frustration level is ever increasing as I try to get the electronic versions of Kaw Valley's documents.

First off, the spiral bound paper copy and the electronic copy are not the same making the suggestion to borrow and print a copy of the paper book a useless endeavor. Which copy does Kaw Valley intend that the BOCC and the public review in preparation for the April 15th meeting? To cite just one glaring difference, the November 5th Structures & Drainage Study in not even in the spiral bound book.

Secondly, the electronic document "2b-Lenape SitePlan.pdf" is corrupt. This is the message that appears when one tries to open it.



It is not merely a cover sheet, unless cover sheets result in a 4.52 MB document. If it is to match the spiral bound paper copy, which is in doubt, it should have 56 pages including the 6-28-19 narrative along with numerous letters and maps and ending with a letter from Janelle Phillips. Kaw Valley or its attorney need to find the original file, make sure it is not corrupt, and send it to the County. Dare I say, I think even a 5 year old could handle this task.

As a third note, the Structures & Drainage Study found in the electronic version does not match the November 5th version I obtained through a KORA request. That document contains an analysis of culverts 13, 14, 15, & 16 along with Bridge SH-60. The pages in the electronic files provided by Kaw Valley stop after the first page of the culvert 13 analysis. Where are the missing pages?

I should not need to spend my time comparing documents sent to the County regarding this SUP application. Yet, that is exactly what I am having to do to make sure all parties are seeing and evaluating the same things. Perhaps, it is time to tell Kaw Valley that it needs to reprint its spiral bound book, making sure it is accurate and complete, and redistribute it to the BOCC along with a fully functional electronic version that actually matches that spiral bound book.

Respectfully, but none-the-less irritated,

Nancy Carpenter

I ask that this communication be made part of the public record of the Lenape Sand Quarry proposal.

On Tue, Feb 25, 2020 at 10:31 AM Van Parys, David <<u>DVanParys@leavenworthcounty.gov</u>> wrote:

Ms. Carpenter, Following up on the inquiry as to the documents that appeared to be missing from the electronic document sent to you, please see the dialogue below between a representative of Kaw Valley and our county IT director. My understanding is, that while confusing, the coversheets reference documents contained elsewhere in the overall document and that, while confusing, the documents are contained within the overall. Consequently, there are no additional documents. If I might offer a suggestion, at your next visit to the courthouse perhaps a commissioner would make available for your review a hard copy of the document for your review. This could assist in the understanding of the electronic version. You might also ask if you could take the document and have it copied, as I believe that you could do so for less cost than the county would charge you, and likely done quicker.

I'll do my best. They are telling us that everything we want is in the file that you already have. The coversheets are showing up by themselves. The rest of the info for that cover sheet is there, just not next to the coversheet itself. That help?

If I knew more about what the documents should look like I could probably verify their statements, but I don't really know what I'm looking at personally. For instance, I wouldn't know a form 4345 404 from a hole in my head.

From: Van Parys, David < <u>DVanParys@leavenworthcounty.gov</u>>

Sent: Thursday, February 20, 2020 9:44 AM

Subject: RE: Kaw Valley File

Can you reach into your memory, and using language appropriate for speaking to a 5 year old, explain to me what all of this means?

Jessica, I think I understand what you are saying. The original file we analyzed was the full PDF report file named "Kaw Valley Companies – Lenape Sand Quarry 1.30.20.pdf". The confusion came from the cover sheets existing separately

from their respective content. The PDF you created was a "portfolio" of documents and it looks like when it was created Adobe organized the document into separate sections for each PDF file that was combined into the portfolio. All of the other sections had cover sheets with their content combined making it easier to review each section independently. My apologies for the confusion. Larry
Hi Krystal,
The documents that you mention below are simply coversheets—there is no additional information missing from those documents. The further reports/information that correspond to each cover page are also included in the zip file. For instance, item number 1 in your list below is titled "Form 4345." That document is just a cover-sheet. The PDF in the same zip file that is titled "3-Lenape Form 4345 404 Permit" is the substantive document that corresponds to the "Form 4345" cover sheet. Likewise, item number 2 in the list below is a cover sheet titled "Location Map." That document is simply a cover sheet. The PDF in the zip file that is titled "1 – Lenape Location Map" is the substantive document that corresponds to the "Location Map" cover sheet. The same is true with the remaining items in the list below—they are all cover sheets and there are separate files in the zip that provide the supporting documentation (i.e., the pdf titled "7 – Lenape Noise Study" is the substantive document that corresponds to the "Noise" coversheet pdf in your list below).
I think what would be helpful is if you open up the PDF in the zip file that is titled "Kaw Valley Companies – Lenape Sand Quarry 1.30.20.pdf." That is the main document; it is a portfolio document. All of the other documents in the zip file were extracted from that main document. So, if you open that main file ("Kaw Valley Companies – Lenape Sand Quarry 1.30.20.pdf"), it will show you how all of the documents were organized (and that the files you mention below are simply cover pages and that separate corresponding files contain the reports/further information behind those cover pages).
Please let me know if this answers your question or if you'd like to have a call to discuss further.
Thanks much,
Jessie

To the members of the Leavenworth County Planning Commission:

My name is Nancy Carpenter. My husband and I have lived in the southeastern corner of Sherman Township for the past 34 years.

The agenda for next week's Planning Commission meeting will more than likely include a public hearing concerning a special use permit application for a sand pit in Sherman Township. Before the tornado, many citizens were taking part in efforts to better understand the proposal and formulate a strategy on how best to present their concerns to you. Many aspects of the project are troubling including safety, truck traffic, noise, and other factors that stretch well beyond the 1000 foot notification area. The tornado stopped them in their tracks. A strategy meeting that was scheduled for May 30th was cancelled as focus rightfully shifted from the sand pit to rebuilding lives.

In light of this disaster, I respectfully ask that you postpone or extend the Planning Commission's public hearing on this application until at least your July meeting. This would give Sherman Township residents, all of whom will be affected if a special use permit is granted, more time to concentrate solely on recovery.

Thank you for your time and consideration.

Nancy Carpenter 14681 Kreider Rd. Bonner Springs, KS 66012

Please add this letter to the public record regarding the Lenape Sand Quarry proposal.

(Originally sent to individual commissioners on November 18, 2019)

Dear Leavenworth County Commissioners:

We, as citizens of Leavenworth County, are saddened that we received only one response to the letters we sent to each of the Commissioners dated July 22, 2019 regarding the proposed Lenape Sand Quarry. From our end, it feels as though our concerns as well as our correspondence simply went into the abyss. It doesn't matter if we live within the district you represent because all commissioners will vote on this issue that will directly affect the quality of our lives in the southeast part of the county.

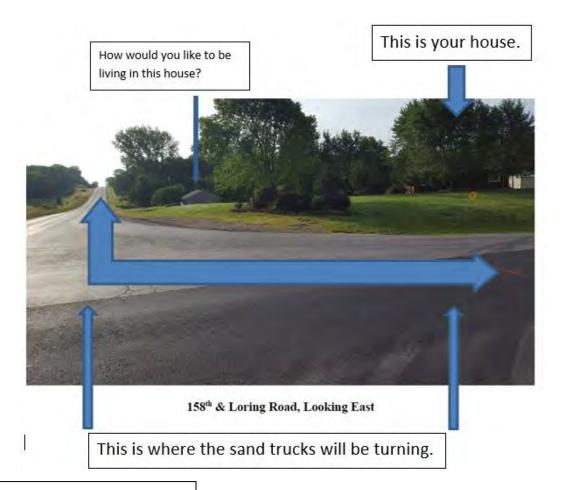
We have a simple ask in regard to this current letter...**Please Read It...All Of**It and for just a bit <u>please put yourself and your family in our place (and the place of all the residents impacted by this issue</u>.

You've found a home you wish to purchase in this rural residential area with the plan to retire in the next few years. You currently work outside the home but also work from home on a pretty regular basis. You are aware that 158th Street is a fairly busy road. You've watched the traffic and you've made the decision that it isn't more than you are willing to live with; so you purchase the home.

Five years later, after you've made both major and minor updates to your home and are thoroughly enjoying this rural residential area, you learn about a proposed sand quarry to be opened about a five-minute drive from your home and that the corner where your home sits is part of the truck route the sand quarry will use to haul the sand.

Your house sits diagonal facing 158th Street and Loring. A truck driving from the direction of the sand pit will be moving on an uphill grade to get to the corner where you live so they won't be able to build up much speed. Still on the uphill grade, they will have to slow down even more to negotiate the right turn onto Loring. Other trucks or vehicles behind will also be slowed down by this and it isn't hard to image vehicles lined up on 158th Street in front of your house waiting on one or more trucks to turn.

Those same trucks will be coming back to the sand pit along Loring to the intersection at 158th so they can turn left and go back to the sand pit. Your whole corner and front of your house has trucks and other vehicles sitting in line. This is something you have never had to deal with in the five years you have lived here and isn't something you ever considered in your wildest imagination when you bought your home.



This is your driveway



Taken at the intersection of 158th & Loring, Looking South

This is the last part of the upward slope the trucks will be lining up on before they turn left about 15 feet behind you.



This is what a truck looks like from the walk in front of your porch and this vehicle is nowhere near as large as a sand truck.

But that's no problem, right? Because it will only be like this 8 hours a day, 5 days a week, with trucks going both directions. This is what everyone considers rural residential living??

If the sand pit is approved and this becomes a reality, what just happened to your semi rural life five days a week between 7:00 a.m. and 3:00 p.m.? Do you think residents aren't home at this time and won't notice? Instead of the farm and cornfield view across the street from you, there are now sand trucks – sometimes moving very slowly or not at all while they are waiting for the truck in front of them to turn. If you think that won't happen – do the math. Kaw Valley said it will have 8-10 trucks per hour leaving the sand pit and the same number per hour coming back. That means between 128 to 160 sand trucks will be rounding the corner by your house in addition to any other traffic that would normally be coming through.

Is that what you want for yourself and your family? Is that why you invested in your home in this rural residential area? Are you getting the impression that it doesn't matter because it's way down in the southeast part of the county and the Commissioners don't have their own homes in that area that would be impacted?

If you decide this is a deal breaker for the rural residential life you envisioned, how well do you think your house will show to potential buyers with that kind of truck traffic surrounding your home on two sides? It is an absolutely reasonable conclusion that your home value will fall, which will be such a shame because the values of most of the homes in this area, yours included, have grown quite a bit in the past five years.

There are many reasons why this sand pit at this location is a terrible idea and our July 22 letter addressed this. Personally, our main concern is because of the truck traffic Is there any other method of moving sand that wouldn't have the impact of hundreds of truck passes per day? There have been multiple so-called Traffic Impact Studies done. Why hasn't a comparative rail study been done? Kaw Valley mentioned in the July 10 Planning and Zoning Meeting that rail would be too costly, however, where's the study showing the cost involved? Have the Planning & Zoning Committee and the Commissioners just taken Kaw Valley's word for it? The upfront costs might be higher, but would probably then level off. Because the sand is coming out of Leavenworth County ground, wouldn't the county still receive a per ton royalty? Has the Planning & Zoning staff and Committee really thought through everything and done all the due diligence they can?

We would welcome the opportunity to sit down with you and discuss this issue. It <u>really</u> does directly affect our lives, the same as it would if this were your own home.

Most of the residents in this area are against this sand pit. Please represent the citizens of this county and this section of the county.

Sincerely,

Alan and Paula Jaskinia 13162 158th Street Bonner Springs, KS 66012

From: Nancy Carpenter <3carps@gmail.com>
Sent: Wednesday, February 26, 2020 2:43 PM

To: Stieben, Mike; Schimke, Chad; Smith, Doug; Kaaz, Vicky; Culbertson, Jeff; Van Parys,

David; Loughry, Mark; PZ

Subject: CFS Lenape Sand Quarry Traffic Impact Study is inaccurate

Attachments: Nancy Carpenter presentation feb 26 2020.pdf

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon -

For the public record, attached please find an electronic version of my remarks to the BOCC this morning.

As I was cut off before drawing my final conclusion, I am sending my last three paragraphs for you here as well. Please, read and reread these words.

Respectfully, Nancy Carpenter

You have spoken of wanting to look at evidence. You have asked us to let you know when we find problems with this proposal. This is a huge problem. There are supposed facts given in the Traffic Impact Study that were not checked and that are not verifiable. If you look to this road description in your decision making process, you will be relying on inaccurate information.

I have debated about what I'd like to see happen to rectify this matter. As I talked it over with my husband, he reminded me of the 1981 Hyatt Regency tragedy when engineering inaccuracies were ignored ... 114 people died.

It is my hope that you take this information to your consulting firm for discussion, then reject this document along with any others sealed by the engineer of record. I also suggest that you consult legal counsel as to the process of filing a complaint with the Kansas Board of Technical Professionals against that engineer on behalf of the County. If the County chooses to ignore this matter, it will fall to its citizens to file a complaint. If the County chooses to ignore this matter and eventually approves the Lenape Sand Quarry application, you will be culpable when accidents occur that are tied to sand truck traffic being allowed to travel these unsuitable roads.

From: Loughry, Mark

Sent: Wednesday, February 26, 2020 8:00 AM

To: Voth, Krystal

Subject: FW: Lenape sand quarry proposal

Public Record

From: morganites5 <morganites5@gmail.com>
Sent: Tuesday, February 25, 2020 5:16 PM
To: bocc <bocc@leavenworthcounty.gov>
Subject: Lenape sand quarry proposal

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Sent from my Verizon, Samsung Galaxy smartphone

I live in Leavenworth county on 178th street so I don't live near where they want to build this quarry; however, I have friends and family that do. I am imploring you to PLEASE vote against this proposal because of the safety issues involved.

I have a son who grew up in the Basehor area. He is involved in community affairs and holds down a good job. Both have him coming and going all the time from his property. Extra traffic from the sand pit driving by his driveway could cause so many problems. They built a temporary building to live in hoping to eventually build the house of his dreams on the property. They have put that dream on hold knowing the value of their house would plummet if the proposal was approved.

My daughter-in-law has a job, too. On top of working, she also is involved in activities that take her from her house regularly. They have 4 children who they encourage to be involved in sports and church activities so that involves a constant shuffling of kids in and out. I worry about their safety if trucks were flying right by their driveway!

My granddaughter is of age where she could drive to and from school. The fear of an inexperienced driver with big sand trucks flying by scares us all.

PLEASE, add this letter to the public record regarding the Lenape Sand Quarry proposal. My excuses may seem personal and possibly selfish. But I assure you, if an accident happened to a child or grandchild to anyone along the proposed route, it would affect more than just me.

Sincerely,

Patti Morgan 20050 178th Street Tonganoxie, KS 66086

From: Kaaz, Vicky

Sent: Tuesday, February 25, 2020 8:53 PM

To: Voth, Krystal

Subject: Fwd: Speaking at the public hearing

Mr. Schmidt has requested that the email below be made part of the public record. TIA

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: anthony schmitt <freakyschmitt@gmail.com>

Date: February 25, 2020 at 7:17:03 PM CST

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov> **Cc:** "Culbertson, Jeff" < jeffc@leavenworthcounty.gov>

Subject: Speaking at the public hearing

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Commissioner I will not be able to attend tomorrow's BOCC meeting. Sadly I must work. Would it be possible for you to bring up discussion in Administrative business about the guidelines to be used at the public hearing on 04/15/2020 for SUP DEV-19-008.

Thank you for your time, Tony Schmitt 17322 Golden Road Linwood, Kansas 66052

PLEASE MAKE THIS PUBLIC RECORD

Sent from Mail for Windows 10

From: Kaaz, Vicky

Sent: Wednesday, February 26, 2020 4:09 PM

To: Voth, Krystal

Subject: Fwd: Concerned LVCO Residents

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Mary Vavricek <maryv4him@aol.com> Date: February 26, 2020 at 3:41:37 PM CST

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Subject: Concerned LVCO Residents

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

I am requesting that the following letter be put in the public record for dev-19-008

Eleven years ago we were looking for land to build a home and found Southern Leavenworth County to be a beautiful and peaceful community away from the city. We put an offer on 40 acres of land and built our forever home, moving in January 2010. We have watched many nice homes being built around us on acreage and witnessed first hand growth in the local schools and in our community.

We are very disappointed to hear that a mining company is planning to infiltrate our area. We are not in favor of this type of company encroaching on Southern Leavenworth County and changing the peaceful beauty of this area we've come to know and love.

Sammy and Mary Vavricek 15075 166th St Bonner Springs, KS My name is Ralph wiggins I live @ 12151 desoto rd linwood ks

I am requesting that these questions be included in the public record for the Lenape sand quarry proposal.

I drove to the Holiday sand quarry west of seven hwy south of bonner springs.

Having seen this operation I have some questions.

The trucks seem to be almost non stop. Many more than the 80 per day as proposed by the Lenape quarry project. Dose 80 trucks only include the Kaw Valley trucks with additional trucks operated by customers of Kaw Valley? Dose Kaw Valley have other trucking companies that will also use our roads to haul sand?

The road leading to holiday quarry has lots of sand on it. Should we expect our roads to be sand covered making them dangerous @40 to50 mph?

Holiday Quarry is west of seven hwy away from public view. Lenape sand quarry is on a well traveled road (166th st) the dredging pond looks like an industrial area. Can this be compatable with a residential agricultural area. After viewing Holiday quarry, I cannot believe anyone would buy a home in such an un slightly area. Are we willing to make south east Leavenworth County so undesirable.

The Lenape sand proposal states that the quarry will operate twelve hrs per day M- F.This will mean 12 hrs of noise and dust per day. Will other company trucks be allowed to operate on our roads 12 hrs per day? Are there any penalties for not compliance with the proposed plan? When the train blocks 161st st RR crossing will trucks use 166th st until the crossing is clear? Will trucks owned by other companies be bound by this proposal?

From: Loughry, Mark

Sent: Wednesday, March 11, 2020 2:33 PM

To: Voth, Krystal

Subject: FW: Another April 15th point of clarity

----Original Message-----

From: Nancy Carpenter <3carps@gmail.com> Sent: Wednesday, March 11, 2020 2:19 PM

To: Loughry, Mark <mloughry@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov> Cc: Stieben, Mike <MStieben@leavenworthcounty.gov>; Schimke, Chad <CSchimke@leavenworthcounty.gov>; Smith,

Doug <DSmith@leavenworthcounty.gov>; Kaaz, Vicky <VKaaz@leavenworthcounty.gov>; Culbertson, Jeff

<jeffc@leavenworthcounty.gov>

Subject: Another April 15th point of clarity

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon -

Thank you for your consideration as rules for the April 15th public hearing on the Lenape Sand Quarry are being set.

This morning, you spoke of allowing "1000 footers" to pool their time for a presentation if they selected a spokesperson and authorized their wishes in a notarized document.

Would you consider extending this to allow any parcel owner, either within the 1000 foot radius or along the proposed haul route, to designate a spokesperson? This would be with the understanding that the spokesperson would be limited to a three minute statement and that the County would receive a notarized authorization that identifies the parcel owner and designates the spokesperson. It would also be understood that the spokesperson would not be allowed to speak later on their own behalf.

Thank you for giving this some thought. I look forward to your feedback on this matter.

I would like this communication to become a part of the public record for DEV 19-008.

Respectfully -Nancy Carpenter

Sent from my iPad

From: Kaaz, Vicky

Sent: Saturday, March 14, 2020 7:24 PM

To: Lola Otting; Voth, Krystal

Subject: Re: Sand Quarry

Ms. Otting,

Your email will be made part of the record.

Vicky Kaaz

Sent from my iPhone

On Mar 14, 2020, at 4:06 PM, Lola Otting < lolaotting@att.net> wrote:

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

We want to voice our opinion on the sand quarry that is to be put on land owned by Lyn Spring Knudson. We support Lyn in her effort to acquire this project on her land and think it will be financially good for Leavenworth County. We request that this email be made part of the Public Record.

Gerald and Lola Otting

From: Sarah Williams <redbudranch@gmail.com>

Sent: Monday, March 16, 2020 4:47 PM

To: Stieben, Mike; Schimke, Chad; Kaaz, Vicky; Culbertson, Jeff; Smith, Doug; Van Parys,

David; Loughry, Mark; PZ

Subject: Today's Haul Route Rollover -- Loring Road & Loring Drive/Lane

Follow Up Flag: Follow up Flag Status: Flagged

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

None of our non-commercial, rural roadways are safe for hundreds of commercial trucks per day, not even Kaw Valley's proposed Haul Route. Please take note of today's accident (two pictures below).

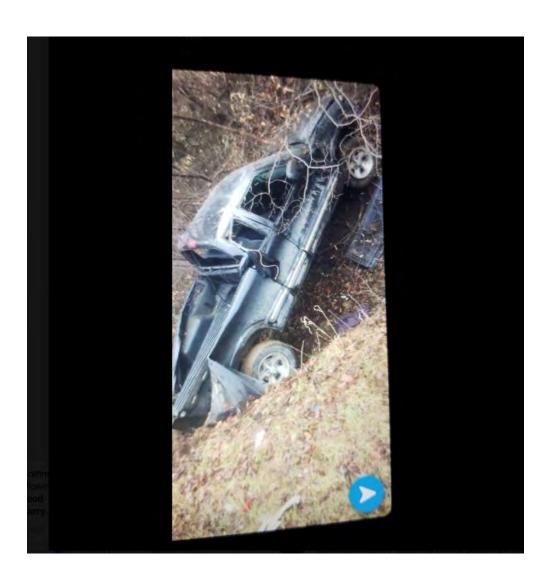
When sharing my concerns about the frequent wrecks in southern Leavenworth County, I heard "...we never know if someone is drinking, or texting, or driving while somehow impaired." I will add that, ostensibly, some drivers engage in those same activities on every roadway; but cars seem to leave the narrow, curvy, hilly roadways in my community with extraordinary frequency.

Further, many people are rescued by a friendly neighbor with a tractor, meaning the incidents are not officially counted in traffic incident reports, allowing Leavenworth County to believe its roadways in the southern region to be more safe than they are in reality.

Kindly include this email and photos in the Public Record for DEV-19-008.

Stay healthy,

Sarah Williams 12725 166th Street Linwood





March 18, 2020

14439 Woodend Rd Bonner Springs, KS (Inside Leavenworth County)

RE: Lenape Sand Quarry DEV 19-008

- Blowing Sand Pictures and Videos
- Sand on Public Roadways
- Truck Driving Patterns

Chairman Smith

This letter is in reference to concerns over blowing sand from the proposed quarry and truck driving patterns. It is requested that this letter and all attachments be entered into the official record for this matter.

The applicant has stated that blowing sand should not be a concern. They suggest that the proposed Lenape Sand Quarry should be compared in size and operations to the Holiday Sand Quarry near 43rd and Frisbee Road in Shawnee. The Plant Operations Memorandum dated January 28, 2019 states the following:

Example Sand Quarry Site at 43rd & Frisbee Road in Shawnee, Kansas

43rd & Frisbee Road Sand Quarry: An open-pit off-river sand quarry site was opened in 2009 in northwest Shawnee by 43rd Street & Frisbee Road by Holiday Sand & Gravel. The proposed Lenape Sand Quarry would be near-identical in operations to this site. The 43rd & Frisbee site includes a large dredging pond, a consolidator/separator processing plant and a truck scale. The plant has been in operation for nine years and is located approximately seven miles from the proposed Lenape site.

Blowing Sand

I wish to point out that blowing sand from the Holiday Quarry is a constant problem, and I expect that the Lenape Sand Quarry will have similar or worse problems. I have personally driven by the Holiday site many times, and have noticed sand blowing from the operation on multiple occasions.

The blowing sand of the Holiday Sand Quarry usually only impacts lightly travelled streets and relatively isolated residents. The Lenape Sand Quarry is adjacent to two major heavily travelled roadways of Leavenworth County: 166th Street and Golden Road. Several county residents live on these roads and others live on Lenape Road and on 161st Street. All of these roadways and residents will be significantly impacted.

The pictures below are mine from February 2019 and March 2020. Additional pictures are from Tyler, a resident adjacent to the Holiday Sand Quarry (Wilder, Kansas). Tyler has stated in a "text" to me that the blowing sand has occurred several times a year for the four years he has owned his home.

These pictures and some videos are available to view in higher resolution on-line at link below and on the flash drive provided to you

https://www.flickr.com/photos/46064258@N08/albums/72157713415831683

March 8, 2020



March 8, 2020



May 5, 2019 (sand blowing over the lake – bit hard to see)



April 27, 2019 (taken by Tyler from Wilder at his house)



April 27, 2019 (Taken by Tyler from Wilder at his house)



Sand on Roadways

Sand on the roadways at the Holiday Sand Quarry is ever present. It is on the roads, piled deep along the curbs, and windrowed along the driving lanes. This sand is deposited from a combination of windblown particles and shaken from the beds and undercarriages of the sand hauling trucks.

The pictures below illustrate only a few examples of the extent of loose sand on the roadways, primarily 43rd Street and at K7. Close observation in person (no pictures) will also show sand accumulation on the edge of the pavement of K7 north and south of 43rd Street, and as KDOT uses salt for winter road deicing, there is no mystery as to where it came from. There is no reason to expect less sand from Lenape Sand Quarry to be deposited on Golden Road, 158th Street and Loring Road.

This is a dangerous situation on Leavenworth County roads. Many vehicles already leave these roadways and crash even without the sand. Sand will abrade and obscure the white and yellow lane markers removing visual cues for drivers. Sand will reduce braking effectiveness. While some sand may be washed off the roadway during rain events, it will soon be replenished by the approximately 100 loaded trucks per day using the roadway and the windblown sand.

43rd and K7 looking East



Same Place – September 2012 (Google Maps)



On 43rd near K7 Looking west



Same Place – Sept 2012 (Google Maps)



West of K7 on 43rd - Sand on edge of pavement



Page **6** of 8, McDonald, 14439 Woodend Road, March 18, 2020

Build up of Sand on 43rd Street west of K7 Note the ridge of sand built up along the roadway covering the curb



Same Place - September 2012 (Google Maps)



Truck Driving Behavior and Safety

Everyone expects the public roadways to be safe for all types of vehicles. Tyler of Wilder reports that he drives on 43rd Street to K7 every workday. He explained to me that the sand trucks (loaded and empty) tend to drive in the middle of the road, and turn wide through the corners, especially when turning onto K7. He stated that he never relied on being seen by the truck drivers when he was behind or alongside them and is always concerned for his safety until he is on K7.

The intersection at 43rd/K7 is similar to intersections of 166th/Golden Road and 161st/Golden Road. Expect trucks to NOT stop except at the last minute if they can find a way to keep their momentum when turning onto the larger roadway from these local non-commercial roadways.

Conclusion

I urge you to consider the impact on blowing and dropped sand on the residents and motorists of the area. This ongoing activity will certainly decrease property values, and increase accidents. I further ask that you seek professional opinions on truck driver behavior in these circumstances.

Between the loose sand, the number and behavior of trucks travelling the routes, condition and alignment of the roadways and many other related factors I urge you to deny the request for a Special Use Permit for Lenape Sand Quarry.

Respectfull

Michael G. McDonald

14439 Woodend Road

Bonner Springs, KS 66012 (in Leavenworth County)

mgmlvks@aol.com

913-547-2165

- Attachment: Thumb Drive with higher Resolution Photos and videos.
- Copies of this letter provided to all Commissioners by name
- Copy of Chairman Smith's letter provided to County Counselor and Interim Planning Director
- Similar letter provided to County Sheriff

From: Kaaz, Vicky

Sent:Tuesday, April 14, 2020 2:01 PMTo:Voth, Krystal; Loughry, MarkSubject:Fwd: Kaw Valley Sand project

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Rene Morris <Rene.Morris@fbfs.com>
Date: April 14, 2020 at 1:49:14 PM CDT

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Subject: Kaw Valley Sand project

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Vicki-

I am writing to express my overwhelming support of the upcoming Kaw Valley Sand's sand mining project. This has the potential to provide significant financial impact on the county in multiple ways. Landowners in turn inject valuable spending dollars into the economy. While only a small area of roadway is impacted, Kaw Valley Sand's position to provide the monies required for general upkeep shows their commitment to maintain the integrity of Leavenworth County's roadways.

The Landowner (Lyn Spring Knutson) has made certain that all federal and State regulations required of this project have been thoroughly researched and approved. The family has not sold the ground and does have a future plan for the land once the lease has been fulfilled that will add to the betterment of the immediate and surrounding properties.

The impact on the county and its citizens is tremendously positive. Please make this letter part of the public record for this project.

Sincerely,

Kirk Coen

9340 Parallel Parkway

Kansas City, KS 66112

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For security reasons we strongly discourage the submission of sensitive or personal information, such as credit card numbers, social security numbers, or bank account information, through email. Email may not be a secure method of communication. Any email may be copied and held by various computers as it makes its way from our server to yours. Persons not participating in our communications may be able to intercept the communications while being transmitted or stored. If you prefer that we communicate with you via a non-electronic method, please advise us of the same.

From: Loughry, Mark

Sent: Tuesday, June 23, 2020 8:00 AM

To: Voth, Krystal

Subject: FW: Proposed sand pit at 166 th street & Lenape Road

----Original Message-----

From: Ron Volden <dronkarenvol@comcast.net>

Sent: Monday, June 22, 2020 7:56 PM To: bocc <bocc@leavenworthcounty.gov>

Subject: Proposed sand pit at 166 th street & Lenape Road

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

This email is to protest the development of the proposed sand pot at the above mentioned farm. I am opposed to this project for many reasons; it is not in the best interest of the people of the area nor would it be friendly to the environment!

Ron Volden Leavenworth Co resident.

Sent from my iPhone

I am Nancy Carpenter, 14681 Kreider Road in Bonner Springs.

It should come as no surprise to you that I have been carefully studying the Lenape Sand Quarry documents provided by Kaw Valley and sealed by an engineer with Cook, Flatt, and Strobel. The Traffic Impact Study dated January 9, 2020 is of particular interest to me.

There are two photographs of 158th Street in the study, one taken at the northern end just south of Loring and the other at the southern end of the road. Page 13 shows a diagram of a "TYPICAL section" of 158th Street. It details a two foot PAVED shoulder, next to a one to four foot graded shoulder with a side slope beyond that. The accompanying text does make an acknowledgement that some areas only have the minimum shoulder width and a narrow break from the side slope. It also says the sides APPEAR to be graded to a recoverable slope of 4:1. I take recoverable to mean a slope from which a vehicle could successfully remount the paved surface if it ran off the road.

I would be remiss if I waited until the April 15th public hearing to tell you that this information is incorrect. I know this because Sarah Williams and I spent two afternoons taking measurements on 158th Street as we doubted the accuracy of the claims made on page 13. On January 15th, Commissioner Kaaz and Commissioner Schimke both told us that they didn't want us going out on the roads to take measurements, but we had no choice.

The 158th Street piece of the proposed haul route is just over a mile long. On our first afternoon, we walked three tenths of a mile from the northern end and randomly measured looking for a recoverable roadside. We took dozens of pictures and found NO spot that had a 4:1 or flatter slope. Meaning that along this typical stretch of 158th Street, if a car or truck goes off the road, in all likelihood, it will not be able to safely make it back onto the road surface.

On our second afternoon, we walked three tenths of a mile from the southern end and randomly measured looking for a two foot paved shoulder. We again took dozens of

pictures and found only one spot, right beside a driveway, where there was a two foot, PAVED shoulder. At places, the paved shoulder was as narrow as 4 inches. Beyond the paved shoulder, packed gravel was found. Even combining the paved shoulder and the packed gravel, we did not find a two foot edge. As we did our shoulder measurements, we also did random recoverable slope measurements. We found one area that barely passed as recoverable. We also found fresh tire marks at a spot where it was obvious that a vehicle had not recovered without assistance.

On the two stretches we studied, we found that the "TYPICAL" road was nothing like the one described on page 13 of the Traffic Impact Study. The funny part is, we studied the safest sections of the road. We avoided the in-between section where at places you'll find no shoulder and a sheer drop off - we knew that would be an extremely dangerous section to walk.

You have spoken of wanting to look at evidence. You have asked us to let you know when we find problems with this proposal. This is a huge problem. There are supposed facts given in the Traffic Impact Study that were not checked and that are not verifiable. If you look to this road description in your decision making process, you will be relying on inaccurate information.

I have debated about what I'd like to see happen to rectify this matter. As I talked it over with my husband, he reminded me of the 1981 Hyatt Regency tragedy when engineering inaccuracies were ignored ... 114 people died.

It is my hope that you take this information to your consulting firm for discussion, then reject this document along with any others sealed by the engineer of record. I also suggest that you consult legal counsel as to the process of filing a complaint with the Kansas Board of Technical Professionals against that engineer on behalf of the County. If the County chooses to ignore this matter, it will fall to its citizens to file a complaint. If the County chooses to ignore this matter and eventually approves the Lenape Sand Quarry application, you will be culpable when accidents occur that are tied to sand truck traffic being allowed to travel these unsuitable roads.

I would like my statement to become a part of the DEV 19-008 public record. As always, thank you for your time.

February 20, 2020 – looking for a 4:1 recoverable slope on 158th Street south of Loring



February 22, 2020 – looking for a two foot paved shoulder on 158th Street north of the turn onto Golden Road





February 22, 2020 – fresh tracks of a vehicle on 158th Street that did not recover without assistance

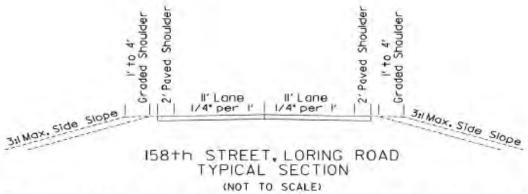


158th Street South of Loring Road, Looking South

158th Street: Major Collector, Two 11 ft Lanes, 2 ft paved shoulders, Posted Speed Limit 50 mph with Advisory Speed Limits of 35 mph and 40 mph, AADT = 1602 vpd



158th Street Looking South Towards Curve to Golden Road



The shoulders along the different segments of the proposed quarry truck haul route vary in width. According to AASHTO Section 4.4.1, General Characteristics (of Shoulders) the "graded" width of shoulder is that measured from the edge of the traveled way to the intersection of the shoulder slope and the foreslope planes. Shoulders may be surfaced either full or partial width. Golden Road, 158th Street and Loring Road have overall pavement widths consisting of a 2 ft wide paved edge shoulder and 11 ft wide lanes. In addition, the graded area along the edge of pavement can range in width from 1 ft to 4 ft. According to AASHTO Section 4.2.2, Width of Shoulders, a minimum shoulder width of 2 ft should be considered for low-volume highways, and a 6 to 8 ft shoulder width is preferable. With the available right-of-way and the presence of open roadside ditches along both sides of nearly all of the roadway segments in the proposed quarry truck haul route, there are some areas with minimal shoulder widths where the break between the edge of pavement and the foreslope plane is only 1 ft. The foreslopes appear to have been graded at 4:1 maximum slopes, which the AASHTO Roadside Design Guide designates as recoverable.

Voth, Krystal

From: Kaaz, Vicky

Sent: Wednesday, February 26, 2020 4:09 PM

To: Voth, Krystal

Subject: Fwd: Concerned LVCO Residents

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Mary Vavricek <maryv4him@aol.com> Date: February 26, 2020 at 3:41:37 PM CST

To: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>

Subject: Concerned LVCO Residents

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

I am requesting that the following letter be put in the public record for dev-19-008

Eleven years ago we were looking for land to build a home and found Southern Leavenworth County to be a beautiful and peaceful community away from the city. We put an offer on 40 acres of land and built our forever home, moving in January 2010. We have watched many nice homes being built around us on acreage and witnessed first hand growth in the local schools and in our community.

We are very disappointed to hear that a mining company is planning to infiltrate our area. We are not in favor of this type of company encroaching on Southern Leavenworth County and changing the peaceful beauty of this area we've come to know and love.

Sammy and Mary Vavricek 15075 166th St Bonner Springs, KS

Voth, Krystal

From: Sarah Williams < redbudranch@gmail.com>
Sent: Wednesday, February 26, 2020 7:03 PM

To: Stieben, Mike; Schimke, Chad; Smith, Doug; Culbertson, Jeff; Van Parys, David; Loughry,

Mark; PZ; Kaaz, Vicky

Subject: My photos -- driving behind a sand truck

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good afternoon, Commissioners and Staff,

Please enter this email into the Public Record for DEV-19-008, the proposed Lenape Sand Quarry.

Yesterday just before 11 AM, I turned north on 158th Street/County Road 2 from Loring Road. One block north, at Kreider Road, a long sand truck was turning north onto 158th Street directly in front of me. I recorded our journey and have included 2 pictures, below.

The truck was speeding, going 60 mph in a 50 mph zone, and then barreled past the "40 mph curve" warning sign at 50 mph (I photographed my speedometer), downhill and into a blind curve. It slammed on it's brakes, surprised, as it came upon "men working" signs, 2 flag men and orange cones narrowing the roadway to one lane. My pictures do not show the way the truck's rear tire/s clipped the cone, causing to wobble. Nor do they show the way my car was sandblasted by fine debris flying or blowing out of the bed of the truck.

My pictures do show that large trucks don't fit well or easily on these rural residential, non-commercial roads (RES No. 2009-50). They also show the horrible condition of 32 Highway, as both the truck and I made our way east. The ruts and holes in the road's surface caused the truck to ride outside the lane, straddling the outer white line. This was not the exception, but the rule, lasting most of our drive into Bonner Springs. This truck could not stay in it's lane -- on a state highway -- because of poor road conditions. How can you consider allowing hundreds of commercial trucks on our even more narrow, curvy, hilly, chip and seal, no shoulder, county roadways?

Even if Kaw Valley claims their trucks will stick to a proposed Haul Route, their independent contractor customers are not similarly obligated. While this would be most detrimental for the safety and well-being of the citizens of southern Leavenworth County, ALL taxpayers will feel the financial repercussions of lawsuits incurred by such negligence.

Respectfully,

Sarah Williams 12725 166th Street Linwood, KS 66052







Voth, Krystal

From: Kaaz, Vicky

Sent:Monday, March 2, 2020 3:36 PMTo:Loughry, Mark; Voth, KrystalSubject:Fwd: Lenape Sand Quarry

Please make part of the public record.

Vicky Kaaz Sent from my iPhone

Begin forwarded message:

From: Wesley Mellies <corsawes@gmail.com>

Date: March 2, 2020 at 1:11:03 PM PST

To: "jeff@leavenworthcounty.gov" <jeff@leavenworthcounty.gov>

Cc: "Kaaz, Vicky" < VKaaz@leavenworthcounty.gov>, "dsmith@leavenworth.gov"

<dsmith@leavenworth.gov>, "cschimke@leavenworth.gov" <cschimke@leavenworth.gov>,

"mstieben@leavenworth.gov" <mstieben@leavenworth.gov>

Subject: Re: Lenape Sand Quarry

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Wesley Mellies 725 Edwardsville Drive Edwardsville Kansas 66111. 913-406-2918

On Mon, Mar 2, 2020 at 3:02 PM Wesley Mellies < corsawes@gmail.com> wrote: I would like this to be in public record.

My name is Wesley Mellies and I used to live on Kreider Road from 1990 to 2000. I drive a truck for a living for a grocery warehouse in Kansas City and have been there for 30 plus years. For years my run took me from Bonner Springs to Desoto. This trip took me down the very roads in question. Living in south leavenworth county I became friends with several farmers and helped them with the harvest by hauling grain to the elevator. I did this several years on the same roads in question. I was asked my opinion of this and my reply was I do not know all the details and for that I was sent the Executive Summary. After reading this and thinking back to road conditions and all the 80k lb loads we hauled from the feilds in that area alone I never heard anyone complain. If im reading this the Sand Plant will pay for road maintenance for the traveled route at a cost of 0.15 cents a ton or roughly 6.00 per trip. The Sand Plant is also paying an extra 50k each year that could be used to upgrade roads like Kreider, Carntell, Archer and so on. The funds currently used to maintain that stretch of road would also now be available for repairing other roads. Looks like when it is done South Leavenworth County will have a beautiful Park and Lake. We all know the gravel roads in that area are in sad shape and need serious help. Maybe by using the Royalty and the current funds allocated to that stretch more could be done to help the other roads in the area. Seems to me if the income is coming from south Leavenworth County that is where the money needs to be reinvested. I was asked for my input and here it is.

REQUEST

My name is Andrea Harrington Summers, I live on the "proposed route" at 15251 Loring Rd Bonner Springs, KS 66012. My husband, Scott Summers and I oppose the special use permit for these reasons. If you allow this special use permit the entire De Soto bottoms will be an industrial disaster. This would be spread into hundreds of acres. Don't assume the truck count is real, there will be other contractor trucks that will scatter like ants. Right up County Road 2/158th, right by two schools. Property values will plummet, degradation and damage to the county will go on for 30-50 years or more. Kaw Valley has so many citations and delinquent violations from Mine Safety and Health Administration, MSHA, which is OSHA for mines, that I can't even understand why you would do business with this company. We have so many 18 wheeler trucks that come down our road and turn around in our driveway making a huge mess and no one cares. Our road has signs that say "Commercial Vehicles Excluded" yet there are soooo many 18 wheelers that come down our road, and again, no one cares. I know you are not happy with all of our rants and rightly so, but God says to honor thy neighbor, please do so and deny this special use Signed, and The Land permit.

Leavenworth County Citizen Opposition to the Lenape Sand Quarry Proposal DEV-19-008



A group of Leavenworth County citizens opposed to the proposed Lenape Sand Quarry took it upon themselves to gather factual information pertaining to sand mining in general and this project in particular.

This document is the culmination of their efforts. It is hoped that it will be read with the same consideration that has been given to documents produced for Kaw Valley Companies and by the Planning Staff of Leavenworth County.

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Health and Safety

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It is up to you to determine if "the public health, safety and welfare of persons within the borders of Leavenworth County, Kansas," is a priority. We urge you to deny DEV 19-008.

Introduction

In this section are documents, descriptions, and commentary meant to introduce the reader to the grass roots opposition to the Lenape Sand Quarry proposal. Included are a:

word cloud from a LV County comprehensive plan meeting

biography page acknowledging the efforts of so many concerned LV County citizens

citizen petition summary

consolidated list of pros and cons

2019 historic grass roots opposition flyer



"Because the action of the commission in this instance is an exercise of judicial authority, the burden of proof should be placed, as is usual in judicial proceedings, upon the **one seeking change**. The burden of showing that it is in conformance with the comprehensive plan as implemented by the ordinance, that **there is a public need for the kind of change in question**, and that the need is best met by the proposal under consideration. As the degree of change increases, the burden of showing that the potential impact upon the area in question was carefully considered and weighed will also increase. If other areas have previously been designated for the particular type of development, **it must be shown why it is necessary to introduce it into an area not previously contemplated and why the property owners there should bear the burden of the departure.**"

Written by John Keller, Ph.D., FAICP, who is a Professor of Regional and Community Planning in the Department of Landscape Architecture and Regional and Community Planning at Kansas State University. His teaching and research specialties include rural land use planning and development, small town comprehensive planning and economic development in non-metropolitan areas.

Acknowledgements

This document was researched, written, and assembled by Leavenworth County citizens who are exceedingly concerned about the prospect of having a sand pit in southeastern Leavenworth County. It is our hope that the County Commissioners explore its content and use the information within to make a decision that puts the needs of Leavenworth County citizens above the wishes of a Wyandotte County firm and a single landowner. We are not anti-business or anti-growth, if the business and growth are done in a manner that does not harm the County and its citizens for generations to come.

Here are names of just some of the citizens who contributed in the creation of this document.

Nancy Carpenter is a 36 year resident of southeastern Leavenworth County. With an undergraduate degree in physics and a master's degree in mathematics education, she spent 10 years teaching high school physics and mathematics, followed by 27 years teaching college level mathematics at Johnson County Community College. Before retiring in 2016, she served for four years as the chair of the JCCC mathematics department.

Joanne Erickson

Rick Friederich

Jason Hinkle

Jen Janes

Paula Jaskinia has worked as an Administrative Assistant and Executive Assistant for the past 37 years. Her career has taken her from Hallmark Cards to the United Way, American Lung Association and finally, the Federal Reserve Bank of Kansas City. Paula holds an Associate of Arts degree from Kansas City Kansas Community College and a Bachelor of Business Administration degree from Baker University/Baldwin, KS. Six years ago, after much searching, Paula and her husband, **Alan**, chose Southeast Leavenworth County as the place they wanted to spend the rest of their lives. The beautiful rural residential area checked all the boxes of what they dreamed of for their "forever move".

Linda Koska

Michael G. McDonald, PE (Civil Engineer in KS, AZ, OR) has been the Public Works Director and City Engineer for City of Leavenworth since September 1988. Mike oversees operations in streets, sanitary sewers, storm sewers, refuse collection/disposal, and municipal engineering. He works with the City Manager and other Department Directors to carry out goals of City Commission through Capital Improvements and other municipal programs. Previously, he worked at a private engineering firm in Oregon and for municipal governments in Oregon and Arizona.

Ben Morgan has been involved in the industrial construction industry for over 20 years across the United States and overseas. He has served clients on smaller scale municipal facilities and on large-scale megaprojects. Mr. Morgan has taken pride in his safety culture, leadership and training. He has had multiple training credentials over the years through OSHA, MSHA, NCCER, etc. Ben is currently licensed through the Board of Certified Safety Professionals (BCSP). Certification number - STSC-22261

Rich Pettibon is a retired heavy equipment operator, after working through Local 101 for 35 credited years. He is an experienced crane operator and was certified by the Commission for the Certification of Crane Operators (CCO). He was a certified mobile crane inspector (Crane Institute of America). He was also a certified Aggregate Field Testing Technician (American Concrete Institute) and was certified to perform testing on Kansas Department of Transportation projects.

Wendi Pettibon has a BA in English from Fort Hays State University, but she has spent more than 25 years working in Information Technology. She currently works for CommunityAmerica Credit Union as a data analyst, capturing business requirements and translating those requirements into technical specifications for the data warehouse team. In prior positions, Wendi has been responsible for software development and database design for a number of companies in the Kansas City area.

Stacey Schmitt is a lifelong resident of Leavenworth County. Stacey has been employed by the United States Postal Service for the past 16 years as a rural carrier. During her free time she takes pleasure in her grandchildren, gardening and travel. She can also bake a mean chocolate chip cookie.

Tony Schmitt has been a heavy equipment operator for Local #101 for 18 years. Tony is currently employed by Westland Construction Company as a truck driver. His most recent project is building a treehouse for big and little kids to enjoy. Weather permitting, he also loves to fish and be outside in general.

Patti Shirley chose rural Leavenworth county as home 20 years ago, based on its peaceful and agricultural atmosphere. For 14 years, Patti has owned a chef business and, since 2013, she has run an audio visual installation company with her husband, Jim. Their company does work with corporations, churches, small businesses, hospitals and government entities. They understand the need for good business practices, safety and planning.

Joel Sipp

Dee Dee Harrington Summers

Stephanie Swenson

Mark Tinberg is a lifelong resident of Leavenworth County whose farm headquarters are located on Golden Road in Linwood. Mark and his wife, **Tracy**, farm much of the land along the Kansas River in the Lenape area. He is known for being a hardworking fair man with integrity and morals who is trusted and respected by his neighbors.

Ralph Wiggins

Sarah Williams moved to rural Linwood nearly 20 years ago. In the fall of 1997, Hallmark Cards brought Sarah to Kansas City from her native California, where she worked as an Illustrator for 12 years. After Hallmark, Sarah freelanced for several years as a web designer before becoming a full-time mom. These days, along with raising her family and tending farm animals, Sarah volunteers at a local animal rescue and dedicates her time to causes important to her beautiful community.

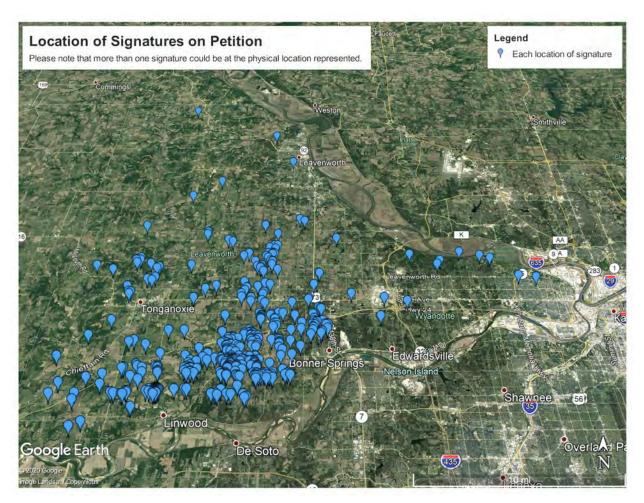
Dan Yates

PETITION SUMMARY

In Spring 2019, a petition drive was started to compile signatures of residents against the Kaw Valley Sand Pit. The petition reads:

"The signatures on this petition represent legal registered voters of Leavenworth and Wyandotte counties who strongly OPPOSE the development of a sand pit operation in southern Leavenworth County Kansas. We believe creation of a sand pit operation creates dangerous and unsafe road conditions for our community due to increased commercial truck traffic. By signing below, we ask the five Leavenworth County Commissioners to vote NO to creation of a sand pit operation in southern Leavenworth County."

As of June 24, 2020 692 signatures -- representing 434 addresses -- have been collected in opposition of the proposed Lenape Sand Quarry, DEV-19-008. The number of signatures generated -- 692 -- is significant.



First, Sherman Township has a total of 1,969 registered voters; 1,743 from the township and 226 from the city of Linwood. **692 signatures represent 30% of our township!**

Perhaps its impact is best understood when viewed together with the numbers of votes Commissioners Schimke and Stieben earned to win the 4th and 5th Districts, respectively. On April 3, 2019, Commissioner Chad Schimke won District 4 with 531 votes and Commissioner Mike Stieben won District 5 with 681. It appears that opposition to this proposal has generated even more interest than the election that added these two commissioners to the BOCC.

It should be noted that circulation of the petition ceased in March 2020 as stay-at-home orders and social distancing became the norm due to the Coronavirus pandemic.

Kaw Valley's Proposed Lenape Sand Quarry		
PROS	CONS	
Wealth for Carolyn Spring	Unsafe roadways	
Profitability for Kaw Valley Companies	Noise pollution trucks	
	Air pollution dust, silica, diesel fumes	
	Water table and well contamination	
	Dangerous conditions for school buses, mail and package delivery vehicles, farm implements emergency vehicles,	
	Dangerous conditions for cyclists, runners, motorcyclists	
	Decreased property values	
	Decreased property values additional 10% along Haul Route	
	Pit location landlocked for miles through residential neighborhoods, no highway access	
	Silica exposure lung ailments, including cancer, pulmonary fibrosis, emphysema, asthma, even death, children and elderly most susceptible	
	No financial benefit to LVCO from property taxes, according County Appraiser's Office	
	No Financial Benefit Analysis has been completed by or for LVCO why doesn't LVCO care to know the true economic impact	
	Tourniquet to DeSoto business district from all points north	
	All local roadways marked non-commercial	
	No shoulders on chip and seal roads, with blind curves, hills blocking line of sight, dangerous intersections, significant elevation changes	
	Kaw Valley Companies has 142 violations since 2006, with 32 delinquent as of July 10, 2019 (they have since cleaned up their account no more pending)	
	Kaw Valley Companies has incurred +/- 20 violations since applying for Lenape Sand Quarry 1/16/19	
	Garbage industry will attract like industry, ruinous to region for generations	
	Burning Tree Golf Course will be run out of business	
	No fences at Kaw Valley Edwardsville pit	
	Gaping pit harmful/deadly to wildlife and loose domestic animals, even children	
	Pit will take land out of ag production forever no farming, no food	
	Bridges along haul route inadequate weight restrictions	
	Truck traffic in direct conflict with school bus routes/peak times	
	Trucks every 3 minutes pose threats to recreational users of roadways and local residential traffic	
	Lack of law enforcement in southern LVCO	
	Volunteer Sherman FD could be overwhelmed by pit activity	
	Highwall erosion around pit dangerous for community	
	Sand in roadways makes them slick, unsafe	
	Wind whipping sand and silica out of pit boundaries into farmland, sandblasts nearby properties and vehicles	
	Trees ineffective barrier to noise and dust	
	Studies submitted by Kaw Valley are error-filled, incorrect, misleading; is Olsson catching all the mistakes? How will public know?	
	Kaw Valley submitted bogus "impact zone;" correct "impact zone"	
	No surety bonds in place private well protection needed, for example	
	Is AE Flood Way development even possible FEMA; Kaw Valley had to submit modeling multiple times to "get it to work"	
	Does Kaw Valley truly have the proper permits? Have they expired?	
	Stormwater pollution plan done properly?	
	Kaw Valley not a good neighbor to residential properties; pit site and Haul Route too close/detrimental to prime residential land per Comprehensive Plan	
	Sand mining and truck hauling ruins residential communities see Randolph, MO	

1	
	Joy Meadows why would PZ put mining near foster community
	Risk of drowning in dredge pit
	Lenape Sand Quarry a cancer to the most rapidly growing portion of LVCO see 2020 Comp Plan
	Kaw Valley an untrustworthy company; endless violations; past behavior best predictor of future
	Kaw Valley delinquent on Real Estate Taxes
	Sand trucks on proposed Haul Route represent their own individual "areas of impact"
	Deadly 158th Street
	LVCO legally vulnerable to lawsuits, for which all of LVCO residents must pay for
	Statements of Concern for Student Safety from USDs 458 and 204
	Lenape Sand Pit NOT in alignment with Golden Factors governing development in LVCO
	Lenape Sand Pit NOT in alignment with costly 2020 Comprehensive Plan; 69.3% value rural atmosphere above all else
	To date, sand pits in nearby locations have been denied 100% of the time
	Staff continues to support proposal even though LVCO Planning and Zoning Commission recommended denial of Lenape Sand Quarry SUP 7/10/19, going AGAINST staff recommendation
	Newest haul route problematic, Lenape Road insufficient
	Kaw Valley proposal no approved by the Lenape Drainage District
	Increase in homeowner insurance premiums
	LVCO Public Works and Planning & Zoning do not currently have Directors; Interim staff running show
	New haul route involves regularly blocked RR crossing; trucks will not wait idle, but will use 166th to Golden Road
	Outside sales NEED TO BE PROHIBITED

Southern Leavenworth County is a **special place**.





- justifiably worried about water pollution, particularly if the pit is backfilled with asphalt, building materials, demolition debris, and other garbage.
- residential development.
- ▶ There are alternative sites that are better suited for this type of operation.

Get Involved, Neighbor!

Make your voice heard. Contact Planning & Zoning Commissioners and Leavenworth County Commissioners.



Email the Leavenworth County Planning and Zoning Commissioners c/o Jeff Joseph:



ijoseph@leavenworthcounty.org pz@leavenworthcounty.org



Then Call and Fax all Five Leavenworth **County Commissioners:** Phone: (913) 684-0417 Fax: (913) 684-0410



Jeff Culbertson	District 1
Vicky Kaaz	District 2
Doug Smith	District 3
Chad Schimke	District 4
Mike Stiehen	District 5

Golden Factors

In this section are documents, descriptions, and commentary about the adherence to the Golden Factors in the review of the Lenape Sand Quarry proposal. Included are a:

2019 discussion of the Golden Factors

2020 discussion of the Golden Factors

2002 historical discussion of the Golden Factors

glimpse at southern LV County

graphic of the future of LV County

June 11, 2019

To: The Leavenworth County, Kansas Planning Commissioner Members C/O Mr. Jeff Joseph, Director of Planning & Zoning 300 Walnut Street, Suite 030 Leavenworth. KS 66048

From: Michael G. McDonald, PE 14439 Woodend Road Bonner Springs, KS 66012

Re: Case No DEV-19-008 (SUP – Kaw Valley Sand Plant)

Dear Commissioners,

"Is this a good project that will advance the quality of life and economic health of the residents of Leavenworth County?"

I have lived in Leavenworth County since September 1988; nearly thirty-one years. I currently reside within the 5th Commissioners District of Leavenworth County. This letter expresses my personal views about the proposed Kaw Valley Sand Plant SUP application.¹

I believe this proposed sand mine north of Desoto fails a reasonable Golden Factors analysis. Thus, it is not an appropriate land use and therefore it is your duty to forward this SUP application to the Leavenworth Board of County Commissioner with your opinion that is should be denied.

In *Golden v. City of Overland Park* (1978)² the Kansas Supreme Court determined that adoption of a zoning ordinance or a comprehensive plan is a legislative action. When addressing a change in zoning of a single parcel of land the court stated that "[w]hen, however, the focus shifts from the entire city to one specific tract of land for which a zoning change is urged, the function becomes more quasi-judicial than legislative." Public bodies - like the Leavenworth County Planning Commission - performing quasi-judicial actions, like your consideration of this SUP³, are held to a reasonableness standard.⁴

The Golden court states, that: "[w]hat has troubled trial and appellate courts alike is: What is 'fairly debatable' and what is 'reasonable'?" **The consensus is that zoning body member should each individually and verbally specify the factors they considered in making their decisions.** "A mere yes or no vote upon a motion to grant or deny leaves a reviewing court in a quandary as to why or on what basis the board took its action."

_

¹ The opinions expressed in this letter are mine, and mine alone. They are not the views of my employer.

² Golden v. City of Overland Park, 224 Kan. 591, 598, 584 P.2d 130 (1978)

³ Special Use Permit (SUP)

⁴ The Golden Factors have been applied in conditional and special use permit cases. *See, K-S Center Co. v. City of Kansas City* (1986)

An SUP grants specific changes to the zoning for a property and therefore must consider the same issues. The staff report should provide information on these issues, but their findings should be referenced by the Planning Commission in motions and discussion. Improper consideration of or lack of reference to these factors will most likely result in a court overturning the decisions of the Board or Commission, if challenged.

2) "Golden Factors"

The court suggested some factors that a zoning body might consider:

- Golden 1: The character of the neighborhood,
- Golden 2: The zoning and uses of properties nearby,
- Golden 3: The suitability of the subject property for the uses to which it has been restricted,
- Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,
- Golden 5: The length of time the property has remained vacant as zoned,
- Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner.
- Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.⁵
- Golden 8: The recommendations of permanent or professional staff.

The following matters may also be considered when approving or disapproving a rezoning/SUP request:

(1) Traffic/Parking, (2) Location/Access,	(9) Flood hazards, (10) Soil survey, (11)
(3) Archaeological & Historic significance,	Sewage disposal, (12) Market/Economic
(4) Topography/Drainage, (5) Wildlife	analysis, (13) Water Supply, (14)
Presence, (6) Design compatibility with	Police/Fire/EMS protection, (15)
surrounding area, (7) Ecological analysis,	Air/Noise pollution, (16) Demographic
(8) Vegetation analysis,	study, (17) Tax base implications.

In the forty-one years since *Golden*, reasonableness remains the standard of review.

3) Golden Questions Raised By This Application

Golden 1: The character of the neighborhood,

This project does not match the character of the neighborhood. Creating an industrial use in within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the

⁵ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

This project does not match the character of the neighborhood. Creating an industrial use within a substantial agricultural area will impact all other properties. Nearby Residential properties will be adversely impacted from noise and air pollution from the site, resulting in reduced property values. A nearby business relies upon the quiet natural setting to attract customers.

There is a reason this property has not evolved into industrial use over the last several decades – basically it is not suitable for industrial use. Creating a modern sand mine is a use that was not envisioned by the zoning regulations, or by the residents that have chosen this area of Leavenworth County to live and raise their families.

Golden 2: The zoning and uses of properties nearby,

This area is zoned "Industrial". It seems to have been this zone for decades. Every parcel in Leavenworth County outside of a city between the Kansas River and the railroad tracks is zoned "Industrial". It is not clear why any of it was zoned Industrial. There are no industrial uses nearby and the closest industrial use is the rail siding and old quarry/cave sites at Loring, nearly four miles away.

Since the 1970's there are virtually no industrial uses that can operate or even attract investors due to the environmental restrictions of modern regulations. Examples are being within a FEMA regulated floodway (water up to ten feet deep in places at this site) without an expensive engineering studies that likely result in a "Federal Levee" surrounding the site, potential groundwater contamination of nearby public drinking water wells and more.

Golden 3: The suitability of the subject property for the uses to which it has been restricted,

It is clear that the property can be turned into a sand mine. That does not make it "suitable" for a sand mine. The impact of traffic, noise, air pollution, water pollution, viability within the floodplain and others make it unsuitable for the plans as presented

Golden 4: The extent to which removal of the restrictions will detrimentally affect nearby property,

Permitting of a sand mine at this location will permanently and adversely impact adjoining property, nearby residential property, and all property in the county north to at least K32. These impacts (among others) are related to traffic, noise, pollution and more.

As will be mentioned elsewhere – this use adversely impacts many other properties than those within 1000 feet or even within ½ mile. A major concern of citizens throughout the county is the approximately 200 (or more) loaded sand trucks per day that will be making round trips between Edwardsville and this project. That is 400 TRUCKS PER DAY IN FRONT OF ANY HOUSE OR THROUGH ANY INTERSECTION.

The trucks may be leaving loaded at four to six minute intervals, but they will get bunched up at the railroad crossings, hills, behind school buses, entrances to K32 and for other reasons. They will then often travel in convoys of several trucks. It is worth noting that as truck drivers become familiar with the route they will become complacent, speeds will increase and attention spans decrease. Consider the adverse impacts of these trucks on:

- Children waiting for school buses
- School bus stopping along the route
- Pedestrians
- Safety of bicyclists and motorcyclists
- Motorists that are "driving too slow" for a convoy of trucks

Golden 5: The length of time the property has remained vacant as zoned,

This property has been used for agricultural purposes for decades. It has never been used for an industrial purpose, although adjoining properties have active and inactive municipal drinking water wells.

Golden 6: The relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner,

Revenue: There is no revenue to the county from this project except road and bridge degradation fees. It is difficult to find any economic gain. There may be some increase in property tax collected based on value of stored materials, plant and equipment. There is no sales tax collected on the transactions.

Leavenworth County engineering office has calculated the damages to county roads and bridges on two of the routes supported by the county. This includes a bridge replacement and an annual fee. There are several problems with this calculation.

The method and assumptions of the calculation have not been made public. There is no evidence it has been reviewed by an independent consultant to ensure that the calculations are appropriate.

The process to determine the value of the damage to infrastructure owned by the public is not part of any known county rule, regulation or ordinance. The determination of the method to be used for damage calculations should be a transparent process, involving public hearings and a public vote by the County Commission

The County Engineer report does not state how these annual fees will spent. Are they limited to the "approved" routes used by Kaw Valley, or will they be lost in the general fund of the county to be used any purpose desired by the Commission? Will they remain in Sherman Township? A clear statement of what these funds are to be used for and how that use will be determined are essential for public trust.

There are few or no new jobs for this project as the mine employees are likely to be already employed by Kaw Valley Materials. The truck drivers (typically 40 – 50 per day) are truck drivers that already exist and there is no reason to expect that new jobs would be created.

Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a park property at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue benefit to Leavenworth County related to this project otherwise.

There is no meaningful gain, and evidence of great degradation to the health, safety and welfare of the public.

Air pollution: Constant exposure to diesel exhaust fumes from the trucks, pumps, dredges and other equipment (12 hours or more each day) is detrimental to the environment in general, local residents in particular, especially children and older adults. This is an area that should be investigated much further by Planning and Zoning staff.

Silica dust from mining operations is a health hazard⁶. Sand blowing from current sand mining operations in Johnson and Wyandotte counties can be seen on a regular basis. This dust creates a health hazard to local residents, pedestrians motorists and recreationists.

While the application notes that the blowing sand will be controlled through water and a "natural crust", this control has not been demonstrated as effective at similar sites. Having wet sand cost money to maintain, and is not desirable to transport as it results in less volume per trip. There is no incentive on the part of Kaw Valley Materials to aggressively address blowing sand.

Roadway Safety: Additional information related to "Traffic" is presented in the "Other Factors" section.

The safety of any driver south of or on K32 is impacted. The sand trucks will TRIPLE the number of heavy commercial vehicles on K32 according to KDOT traffic count maps⁷. Sand trucks will also travel on "non approved" county roads (most without shoulders and narrow) and endanger motorists, bicyclists, and pedestrians. Children are in greater danger waiting for a school bus and the school buses are exposed to greater danger as well.

As of May 10, 2019 KDOT has not provided a statement to Leavenworth County regarding safety, traffic patterns, possible signals or other highway issues as these trucks enter K32.

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 $^{^6\} https://www.ewg.org/research/sandstorm/health-concerns-silica-outdoor-air$

https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/maps/CountMaps/Districts/insetmap2017.pdf

Golden 7: The conformance of the requested change to the adopted or recognized comprehensive plan being utilized by the city.⁸

I urge all Planning Commissioners to review the "vision" for Leavenworth County, and the mission statement of the Planning Commission. These statements reflect that the intent of county government is for the citizens of the county and their quality of life, and not to place the interests of a private enterprise above the citizens.

The Comprehensive Plan appears to allow sand mining as a special use, but provides little guidance on how it should be regulated. The unusual zoning of agricultural flood plain being zoned as Industrial should not be considered as providing any sort of predetermined approval, and it should be carefully evaluated as meeting the goals of the Comprehensive Plan. Much of my thoughts on this are noted above in **Golden 2**.

Golden 8: The recommendations of permanent or professional staff.

Staff Report Issues: The "Staff Report" became available at some time Friday June 7. There is ONE mention that residents are concerned over this project. I am aware of several long-time residents of this area having informed the Planning Staff of their concerns and objections. Nowhere in this staff report are these contacts with residents and other citizens described or summarized so that the Planning Commission can be prepared to consider them.

Citizens have not had benefit of reviewing the Staff Report sufficiently in advance of the meeting to respond in detail due to the June 7, 2019 availability. There should be no rush to approval until factual information is available to consider these concerns. The City of Shawnee took several years for the permitting process on a similar sand mine south of the Kansas River and west of K7. Douglas County took over a year to issue the Conditional Use Permit for a similar project in 2013 (August 28, 2013CUP-12-00099). Significant requirements were imposed on the applicant in both of these cases, after substantial additional information was provided to the planning commissions.

Process Timeline: Before going into detail – I must voice my concern over the speed of the process. Emails in the staff report indicate that there was an effort for a Special Use Permit hearing as early as February, possibly in January. Other communities facing similar projects have taken YEARS to resolve details that appear to have a beneficial outcome to all parties.

-

⁸ "We have listed all these various factors here not as the exclusive factors to be considered in each zoning matter, but as suggested factors which may be important. Other factors may and no doubt will of importance in the individual case."

Other Factors⁹

How Other Communities Processed Similar Applications:

City of Shawnee pit/park/industrial sites west of K7 South of Bonner Springs. Permit originally applied for in 2007, dredging in the pit began about two years ago.

Douglas County (08-28-13 CUP-12-00099) took over one year to evaluate the details of a sand pit operation.

Traffic

The traffic study provided by CFS Engineers is woefully inadequate in evaluating the impact of this sand mine on the roads and residents of the county. The 5000 tons per day that is anticipated to be trucked out of the site may be directed to go certain routes, however other routes are available that may be shorter or more convenient. Leavenworth County has posted many roads to prohibit trucks, however residents have reported violations to the authorities without satisfactory resolution.

It is noted that the trucks will be directed as to what route to use. That is a good idea, but there is a history of trucks not obeying current "trucks prohibited" signs and limited enforcement is possible with current staffing of the Sherriff Office. Trucks that do not work for Kaw Valley are also expected to buy bulk sand at this site for their projects. Kaw Valley will have no control over these, and they can generally go where they want to in order to get to where they are going – into Desoto to get on K10 to Lawrence, north on County Road 2 to Basehor, etc. These un-designated roads will have more hazards such as limited width, no shoulders, poor sight distance for driveways, resulting in greater danger to everyone. These additional roadways are also degraded without compensation.

Should Kaw Valley be allowed to sell directly to contractors or businesses from the quarry, Kaw Valley will have essentially NO control of which route they take to their destination.

As of May 10, 2019 information obtained through KORA show that KDOT has not commented to Leavenworth County on their opinion and thoughts on the sand mine and routing of trucks. Any comments the county has received since then should be shared with residents so that they can be evaluated.

Noise

The noise of the sand mine has been likened to "farm equipment noise", and being at the level of slightly louder than "conversation". This is an inappropriate response as these are not adequate comparisons. Neither one of these is constant for eight to twenty-four hours per day. A sand mine is constant and forever, a combine is temporal (and expected in an agricultural setting).

⁹ Additional Documents Relating to this case are available on a Shared Google Drive: https://drive.google.com/open?id=1_9r8hbU43__l9rEVXuVfBXwjRoK6dEqb

It has been suggested that a berm and a few trees will be planted to address noise impacts to adjoining properties. There is a science to noise reduction, and this is not it. Any berm must be properly sized, placed and shaped¹⁰. Multiple tree species must be selected that will actually grown in the noise reduction system, be effective for noise reduction throughout the year, and must be of an effective size when operations reach the off-site level. There must be a commitment to maintain their integrity by Kaw Valley as well.

I urge the Planning Commission to seek further information from experts in this field, and place a hard limit on noise levels at the north, south and east boundary of the project, and ensure any noise barrier system is designed by a professional and maintained for the duration of the project if it is approved.

Revenue: Leavenworth County may be missing an opportunity for a long-term amenity for county residents. City of Shawnee has arranged with the owner of a similar project to provide a public park property and industrial sites at the conclusion of mining, AND pay a royalty to the city of \$0.15/ton as part of the agreement and permit. There is essentially NO revenue to Leavenworth County related to this project otherwise.

Flood Hazards: It has been proposed by CFS Engineers that there is really not a flood plain problem since it "never floods". The truth is – FEMA maps are the "law of the land" and it is incumbent upon the applicant and the Flood Plain Manager (Leavenworth County) to address how the obstructions impact flood levels. The water surface elevation of the 1% Event (100 Year Flood) floods the entire site, up to ten feet deep in places.

The floodplain area at this site is further regulated –it is "Floodway" and cannot be impaired to cause flood levels to rise. It is REQUIRED that a rigorous analysis be prepared showing that the development meets the standard of a "No Rise" certificate. This certificate is a document signed by an Engineer licensed in the state of Kansas that the project will not create ANY rise in flood elevations. This does not mean 1/100 of a foot rise (1/8") is OK – it means NO RISE as in 0.000 feet is required. This analysis must be reviewed by the floodplain manager of the county before a permit is signed off on.

This is hugely problematic for this site for many reasons, including the items below

- 1. It is expected that a chain link fence will be proposed and/or required completely around the site. Chain link fence is treated as a solid barrier in flood calculations as it will trap debris in flood waters, sealing off flow through the fence.
- 2. It is expected that a berm will be required around the site to prevent agricultural runoff or flood flows from entering the pit

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¹⁰ Example: https://arbordayblog.org/landscapedesign/using-trees-and-shrubs-to-reduce-noise/

and affecting water quality. This berm will be a huge obstruction to flood water flowing through the area.

- 3) Any berm for noise reduction is also a berm interfering with flow of flood waters.
- 4. Stockpiles and buildings create obstruction to flood flows. A huge stockpile is proposed for this site. This must be addressed in the "No Rise" certificate.

Water Supply: City of Olathe has water supply from wells near this site. It is possible that Johnson County Water One has recently obtained the old ammunition plant wells near the site and are believed to not have been notified of this hearing. Good water management practices recommend much greater distances between sand mines and public water supply wells than is proposed for this sand mine. The recommended minimum separation is 1000 feet to safeguard the public's water supply.¹¹

Final disposition of the property: It is shown in the submitted material that the property will revert to the owners for use as a private lake. This does take some imagination to believe that current family members will find the industrial site used for mineral extraction to be appealing after 20-25 years. This especially true once the statement of the applicant noting that they are currently seeking additional property to extend the life of the project is fully understood. Any permit issued must specifically prevent any other use of the site without the necessary zoning hearings in the future.

4) My Recommendations

The materials you have been given by the applicant and the County Staff seem intentionally vague and contain virtually none of the truly important details necessary to make an informed decision about a project that will profoundly change southern Leavenworth County **forever!**

I urge the Planning Commission to require the following information to review before this project goes forward to a vote:

- Obtain a legitimate traffic study focusing on the two "approved" routes, including KDOT recommendations and requirements on the routes.
- A definitive description of truck operations permitted such as
 - o Idle time restrictions

 Penalties for Kaw Valley related to company and contracted trucks failing to follow assigned routes, speeding, other moving violations, safety/inspection violations.

• Review and approve a sound/noise management plan with penalties to limit sound at property boundaries to a recognized standard. This plan to be developed by a sound management and/or landscape architecture professional with experience in

11 http://kansasriver.org/wp-content/uploads/2013/06/Sand-pits-and-Public-water-supply-wells.pdf

Michael McDonald, PE

- natural sound barriers and industrial noise. Identify the impact over time on residences and businesses related to how a natural barrier must be allowed to grow and is required to be maintained to be effective
- Review and approve a water quality management plan for all adjacent water supply
 wells and ground water quality in general with a mitigation plan and/or penalties
 for failure to maintain water quality. Plan to be prepared by a Kansas licensed
 engineer or geologist.
- Review and approve a dust management plan with clear performance standards and penalties related to off-site migration.
- Require annual review by staff and the Planning Commission with a public hearing on how performance standards are being met by Kaw Valley Materials.
- Require drawings of "close-out" final grades and landscaping plans and a
 description of when and how these final conditions will be met. This should include
 disposition of industrial equipment, fencing and berm maintenance. Consider
 requiring a bond or closure fund to facilitate this closure.
- Resolve the definitive hours of operations for the dredging and processing
 equipment. This should be limited to ten hours per day or less, with NO WORK on
 Sunday, and possibly NO WORK on SATURDAY. Penalties for failure to comply
 should be specified. Do not allow any option for 24 hour operation!
- Obtain a copy of the County's written non-residential impact fee policy and the County Resolution which officially adopted this non-residential impact fee policy.¹²
- Detailed calculations showing how the value of the impact funds were calculated and how they will be spent on the roads impacted.
- Detailed information on how the final site will be graded showing final slopes, final landscaping and describe how this will be paid for. Include requirements preventing any other use of the property without official approval.
- KDOT's position on the traffic from this project.
- Request the Sheriff's office prepare a report on their enforcement of truck traffic on non-approved routes, and how trucks not contracted to Kaw Valley can be prohibited from other routes
- Revised final operational area plans showing how greater buffers for noise and water quality are taken into account.
- Demonstrate how the issue of FEMA Floodway has been resolved by providing a copy of the "No Rise" Certificate and calculations prepared by a Kansas licensed engineer. This "No Rise" should addresses fencing, stockpiles, berms, landscaping and buildings on the site. This is especially complicated due to the anticipated prohibition of agricultural runoff entering the pit (and contaminating the groundwater) which will almost certainly necessitate a berm, and the noise berms.

¹² Assuming this policy exists.

- Leavenworth County staff are the flood plain administrators and must approve or not approve the "No Rise" certificate.
- Statements from impacted entities such as USD Basehor/Linwood, City of Bonner Springs, City of Desoto, City of Olathe, Johnson County Water One, residents within 1000 feet and others.

5) In Conclusion

I urge all Planning Commissioners to reflect upon the intent of our zoning regulations. They establish a way that the county government can protect the citizens of the county and their quality of life while also allowing for land to be used to the benefit of the citizens. The zoning regulations were never intended to place the interests of a single private enterprise above the citizens.

Please reject this application as not being appropriate to the citizens of Leavenworth County. Or, in the alternative, reject this application, but allow for its future resubmittal with a greater level of documentation addressing the concerns of the citizens of Leavenworth County.

Sincerely,
===== SIGNED ====
Michael McDonald, PE
14439 Woodend Road
Leavenworth, KS 66048

The applicant, Kaw Valley Companies, Inc., and Property Owner, Carolyn E. Spring Trust, are requesting approval of a Special Use Permit to operate a surface mining sand quarry located near 166th & Lenape for 20 plus years.

Per Zoning and Subdivision Regulations for Leavenworth County, Article 22, Section 6:

"FACTORS TO BE CONSIDERED

The **following matters are to be considered** by the Planning Commission and the Board of County Commissioners when **approving or disapproving a Special Use Permit** or Temporary Use Permit request:

- 1. **Character** of the neighborhood.
- 2. Zoning and uses of nearby property.
- 3. Suitability of the property for the uses to which it has been restricted.
- 4. Extent to which removal of the restrictions will detrimentally affect nearby property.
- 5. Length of time the property has been vacant as zoned.
- 6. Relative gain to economic development, public health, safety and welfare.
- 7. Conformance to the Comprehensive Plan.
- 8. Staff recommendation."

Other factors to be considered are also listed in this section.

During the Planning Commission meeting on July 10, 2019, it was stated that the permit meets the golden factors. The Leavenworth County staff has also stated in writing that the applicant also meets the golden factors.

The paragraphs below address Special Use Permit DEV-19-008 in regard to four of the eight items listed in Article 22, Section 6.

Character of Neighborhood

Although this could be considered subjective, it seems obvious that a sand quarry with heavy truck traffic does not match the surrounding agricultural and residential neighborhoods.

Zoning and Uses of Nearby Property

The wording of this factor is extremely important. If this golden factor stated "Zoning of Nearby Property", then one could answer yes to the question does this special use permit meet this golden factor. If this golden factor stated "Zoning *or* Uses of Nearby Property", then one could again answer yes to this question. However the requirement states "Zoning and Uses of Nearby property".

The existing uses of surrounding property are not in line with the proposed special use permit. The county's surrounding properties within a two-mile radius in order of greatest use per area are agricultural, farm homesite, residential, and commercial (golf course and cave storage). A surface mine and its by-products are not in agreement with these uses.

It is important that decision makers for Leavenworth County do not forget the two important words of this golden factor "and Uses".

Relative gain to economic development, public health, safety and welfare

The important word in this factor is **gain**. The applicant has not provided factual documentation for this box to be checked for approval. It appears, in the narratives provided to date, the applicant is requesting the County to take on an economic burden (beyond the \$24,960.50 already spent on consultation fees) until the applicant receives a financial gain, at which point, the County would still bear a net economic loss.

Conformance to the Comprehensive Plan

Over the last year Leavenworth County has invested time and money in updating the 2008 Comprehensive Plan. The County has engaged its citizen and Olsson (Ochsner Hare + Hare, The Olsson Studio). The review of conformance will be based on the draft 2020 Comprehensive Plan (Plan).

According to Section 4 of the Plan (pg 74), a future land use target for the County is to, "Preserve the most productive farmland as a source for viable agricultural activities that will enhance the county's economy and continue its rural character." Converting this agricultural land to sand mining seems to contradict this target.

Section 5 addresses future transportation and mobility plans. Figure 5.1 (pg 80) indicates a future bike path along 1 mile of the proposed haul route for the sand quarry. Cyclists, sand covered roads, and a high volume of large trucks do not seem compatible, in fact, the mix would be dangerous.

BEFORE THE LEAVENWORTH COUNTY COMMISSION

September 19, 2002

MEMORANDUM IN SUPPORT OF LANDOWNERS' OBJECTIONS TO SPECIAL USE PERMIT FOR QUARRYING OPERATIONS OF ROCCA, INC.

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BEFORE THE LEAVENWORTH COUNTY PLANNING COMMISSION September 19, 2002

MEMORANDUM IN SUPPORT OF LANDOWNERS' OBJECTIONS TO SPECIAL USE PERMIT FOR QUARRYING OPERATIONS OF ROCCA, INC.

I. INTRODUCTION

This is the first governing body hearing on issues of law and policy raised by the Olander/ROCCA application for a special use permit for quarrying and mining. The undersigned have submitted materials to the Planning Commission under dates of April 10, 2002 and July 10, 2002 which form the basis for the adverse recommendations of the ROCCA application. Those materials are presumed to have been furnished to the governing body.

The ROCCA application mus be denied because:

- 1. ROCCA's application cannot pass the Golden tests.
- 2. ROCCA's application requires impacting unsafe roads by heavy commercial truck traffic, creating unacceptable risks to human health and life.
- 3. ROCCA has demonstrated that it cannot comply with administrative regulations of the state of Missouri, which same regulations will be imposed by the state of Kansas, and ROCCA's history demonstrates it will be subject to administrative fines, penalties and perhaps criminal prosecution in the state of Kansas.

II. SPECIAL USE PERMIT ISSUES - THE GOLDEN TEST

The familiar Golden v. City of Overland Park test known as the "Golden" rules have established eight standards for a planning commission and governing body to review an application of this character. As recently stated by the Kansas Supreme Court in McPherson Landfill, Inc. v. Board of County Commissioners of Shawnee County (July 12, 2002), the Golden factors are suggestions and other factors may be equally or more important factors, depending upon the circumstances of the particular case. We will, therefore, address the Golden standards and other important factors dictated by the facts of this case.

The Golden requirements are as follows:

1. Character of the Neighborhood. ROCCA's application fails this test.

ROCCA characterized the neighborhood as randomly developed and "not heavily populated". The objectors' exhibits and a common knowledge of the Commission unequivocally demonstrates that there are more than 100 homes in and around the subject site in which substantial sums of money have been invested by committed homeowners. The character of the neighborhood is clearly residential. (See Tab A for vicinity maps with residences marked by red tabs.)

2. Zoning and Uses of Properties Nearby. ROCCA's application fails this test.

ROCCA insists that the area is zoned heavy industrial and, therefore, the proposed use would be consistent. The applicable word, however, here is "use" and that use, apparent to all, is that the property, if not occupied for residential purposes, has been committed to farming since the earliest days.

3. <u>Suitability as Restricted</u>. *ROCCA's application fails this test*.

ROCCA suggests the surrounding property is unlikely to be servicable with septic tanks or other waste water treatment. ROCCA suggests that the "current use" of the property as residential is affected by an adjacent tract being owned by Subsurface Development Company for future industrial use. The truth of the matter is that Subsurface Development long ago divested itself of the property and that property is now being developed with new residential construction. On the question of waste water treatment, 100 established homes are presumably serviced by functioning septic systems.

4. Extent of Detrimental Effect Upon Nearby Property. The ROCCA application fails this test in several particulars, to-wit:

a) ROCCA suggests that the neighboring property has been a hodge podge of rural development and it would not be cost effective to develop the remaining larger parcels at 2 1/2 acres per site as suggested in the comprehensive plan. The appraisals and the valuation of Gary Gurss, appraiser, and David Thiel, realtor/developer, have been submitted herein and belie ROCCA's

representations. (See appraisals attached to April 10 and July 10 landowner submissions.) The greatest economic benefit to be derived from the neighboring properties would be for their development for their highest and best use, i.e., rural residential large lot development.

b) Traffic and road issues. Common sense, as well as expert opinion, unequivocally demonstrates that the exposure of residents to heavy traffic, particularly heavy truck traffic, is going to make all property in the area less desirable and, therefore, less valued, not to mention the risk to human life. The City of DeSoto, Kansas, demonstrably has taken the responsible steps to prohibit the 28-ton trucks contemplated by the operation of the ROCCA facility from traversing the DeSoto Bridge and traveling through the city of DeSoto.

One of these heavy trucks is going to be transporting its load through established residential areas (certainly, Loring Road) every three to four minutes. The transportation of rock, as a practical matter, is going to be seasonal but at the same time neighbors, commuters, school buses, bicyclists, pedestrians and children are going to be using this roadway at their peril. (See Tab C for school bus

¹See traffic calculations attached as Tab B based upon ROCCA information.

boarding typical scene with little site view from west.)
The April 10, 2002 highway traffic safety and analysis submitted to the Planning Commission demonstrates this peril. It is only natural that the County will have heard from the Basehor-Linwood and Bonner Springs school districts regarding the high volume large truck traffic travelling the same roads as school buses on a daily basis.

In 1993, the County Commission passed Resolution No. 1993-58 finding that the roads implicated by this application (County Routes 2, 3, 26 and 32) were roadways not compatible with the normal and safe movement of commercial trucks. (See Tab D.) Therefore, this Commission prohibited commercial truck traffic on the roads implicated herein (except for local deliveries). Obviously, without improvements to the subject roads, they can only become more dangerous and more susceptible to increased risk by heavy truck traffic than the same roads were in 1993.

C) The laws of the United States and the State of Kansas (K.S.A. 60-3101, et seq, and K.A.R. 28-19-79 and 28-16-286, et seq.) regulate air and water quality so as not to damage nearby properties or implicate the lives or health of nearby owners. Regulatory enforcement of administrative fines, as well as criminal fines, are available as economic incentives to industrial users. If one assumes (as some have done with respect to this application) that ROCCA is a good neighbor and abides by the regulations incumbent upon it, then these concerns are not implicated and the lives, wellbeing and property values of the neighbors are unaffected. Unfortunately, that is not the case.

ROCCA submitted its application to the Missouri Department of Natural Resources (DNR) on April 6, 2000 to be in operations of its Lee's Summit/Independence quarry/mine. ROCCA stated that it would reduce 95% of the particulate emissions from haul roads and vehicles by appropriate water and dust suppressant control. It was, therefore, granted a permit. ROCCA's production began September 6, 2000 from its Missouri facility. The ROCCA permit required it to control particulate (PM10), reducing same by 95%, with recordkeeping of these emission controls for a period of five years. ROCCA was required to water and otherwise suppress dust emissions from its roads and vehicle areas and to maintain records of that control. ROCCA was required to test the moisture content of its gravel and to control its crusher's screening and conveyor processes by the use of spray bars. Less than one month after ROCCA's production began, it received two violation notices from the DNR for

failure to keep records, failure to water and failure to spray its screening and conveyors. The investigator noted that it had located its crusher too close to the property lines. On November 20, 2000, DNR, because of inadequate response by ROCCA, issued a notice of violation with a proposed fine of \$4,000.00. These notices of violation were settled by a \$2,000.00 fine suspended with probation for two years by administrative action on March 13, 2001.

On September 5, 2000, a water pollution control permit was issued by DNR to ROCCA for its Missouri operation. A DNR investigation of compliance (and pursuant to a complaint) on May 30, 2001 revealed that ROCCA was intentionally discharging a green watery sediment into the waterways from its cave entrance in violation of regulations. Subsequent to the complaint and investigation, ROCCA installed new equipment to deal with the problem.

On October 17, 2001, DNR gave ROCCA notice of late reporting of its annual waste water discharges. Apparently, the failure to make timely reports was corrected.

On June 24, 2002 (while ROCCA is claiming to Leavenworth County that it is a law abiding and clean operator), ROCCA received the notice of excess emissions

RESOLUTION NO. 1993-58

A RESOLUTION OF THE HOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS PROFIBITING THE USE OF COUNTY ROADWAYS UNDER THE JURISDICTION AND CONTROL OF THE BOARD OF COUNTY COMMISSIONERS BY COMMERCIAL TRUCKS, BUSES AND OTHER COMMERCIAL VEHICLES.

WHEREAS, it has been determined by the Board of County Commissioners, Leavenworth County, Kansas that commercial trucks, commercial buses, not to included school buses, and other commercial motor vehicles which use roadway under the jurisdiction and control of the Board of County Commissioners, Leavenworth County, Kansas; and

WHEREAS, roadways under the jurisdiction and control of the Board of County Commissioners of Leavenworth County, Kansas are not roadways compatible with the normal and safe movement of such commercial trucks, commercial bases and other commercial motor vehicles.

NOW, THRREFORE, BE IT RESOLVED, pursuant to the provisions of K.S.A. 8-1901, 8-1912(c), the Board of County Commissioners of Leavenworth County, Kansas resolve as follows:

- 1. It shall be unlawful for any commercial truck. Commercial bus or other commercial motor vehicle to use any roadway located in Leavenworth County, Kansas, and under the jurisdiction and control of the Board of Commissioners of Leavenworth County, Kansas. These roadways to be more commonly known as Route numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 20, 21, 22, 24, 25, 26, 27, 29, 31, 32, 33, 34, 36, Kansas Avenus between Route 2 and 142 Street, 147th between Route 8 and Dempsey, Parallel between 222 and Route 5. All and any roadways that are properly signed in accordance with item #2 below.
- 2. Official traffic signs giving notice of this regulation shall be erected and placed at appropriate entrances to said roadways.
- 3. It shall be a defense to a prosecution for violation of this resolution, that the commercial truck, commercial bus or other commercial motor vehicles, at the time of operation of said roadway, had either a point of origin or a destination, on said roadway, that could be reached by no other route.
- 4. An exception to this Resolution will be aware a County roadway is temporarily posted as a detour for any state or federal highway.
- 5. The term "commercial" as used in this Resolution shall mean the hauling of goods or passengers for hire, and any vehicle required by the State of Kansas to have ICC tags or any vehicles

required to have ICC tags.

- 6. Any person convicted of a violation of this resolution may be assessed a fine of not more than \$500.00 by the Board of County Commissioners. Each violation shall constitute a separate offense. Persons so cited for a violation of this resolution shall receive a citation setting out the offense and the date upon which the Board of County Commissioners shall review the citation, determine the validity of the citation and, if a violation is found to have occurred, assess an appropriate fine.
- 7. This Resolution shall take effect upon publication in the official County newspaper and the posting of the appropriate official traffic sign on said roadways.

WHEREFORE, IT IS RESOLVED THIS 7 DAY OF DECEMBER, 1993.

Board of County Commissioners of Leavenworth County, Kansas

Louis A. Klemp, Jr., Charman

Donald F. Aaron, Member

George L. Sprague, Jr., Homber

ATTEST:

Linda A. Scheer, County Clerk

STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

Kansas City Regional Office
500 NE Colbern Road
Lee's Summit, MO 64086-4710

(816) 622-7000
FAX (816) 622-7044

CERTIFIED MAIL # 7099 3220 0000 6140 8995
RETURN RECEIPT REQUESTED

Mr. Jeff Burton
Rocca Corporation

Mr. Jeff Burton Rocca Corporation P.O. Box 2035 Lee's Summit, MO 64063

RE: Notice of Violation # 6601KC

Dear Mr. Burton:

On October 2, 2000, Richard Vani from this office conducted an air pollution inspection of Rocca Corporation in Independence, Missouri.

As a result of the inspection, it has been determined that Rocca Corporation failed to comply with special conditions 1, 2, and 3 of Construction Permit Number 072000-019. This is a violation of 10 CSR 10-6.060, Construction Permits Required. Notice of Violation # 6601KC is enclosed for this violation. Further action on this matter will be at the discretion of the department's Air Pollution Control Program.

If you have any questions, please contact Richard Vani of this office at (816) 622-7000.

Sincerely

KANSAS CITY REGIONAL OFFICE

James R. Macy V Regional Director

JRM\rvv

Enclosure

c: Mr. Steve Feeler, Air Pollution Control Program

Jackson County-AP

L:\RAV\6601nov.doc

Secreted Paper

CURRENT CHARACTERISTICS OF LEAVENWORTH COUNTY



from LVCO website

On the Leavenworth County website a visitor can find some well done videos meant to give people interested in our area a look at where we live. These videos state that Leavenworth County has a relaxed country atmosphere and rural lifestyle.



Photo from LVCO website

The same videos speak about residents enjoying all the benefits of a rural setting with excellent outdoor opportunities. These are the benefits that would become endangered if the current proposal were to be approved.

The video entitled "Quality of Life" speaks to many of the concerns of our citizens and about the possibilities of an emerging economic frontier looking for innovation.



Photo by Grinter Farms

Mining is a ruinous industry and is not the type of innovation residents in the southern gateway to beautiful Leavenworth County seek. The proposed sand quarry would have a detrimental effect on all the characteristics that our county is proud of and is using to highlight our strengths. Some of the characteristics that the citizens in this area now enjoy and would be irreversibly and negatively impacted are:

- Rural beauty
- Agriculture
- Kansas river and watershed
- Clean air and drinking water
- Enjoyment of nature
- Safe roads
- Abundant wildlife
- Family atmosphere

- Motorcycle riding
- Bicycle riding
- Peaceful area
- Increasing home values
- Easy commuting
- Residential character

Please consider this photo essay of the area as the residents enjoy it now.



Photo by Anthony Schmitt

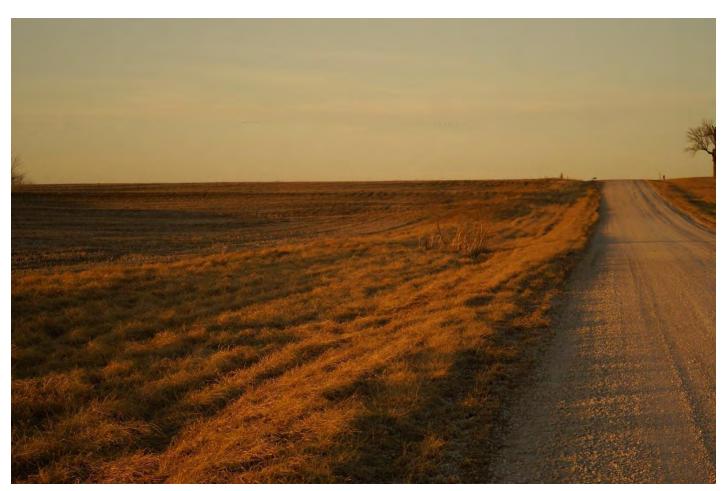


Photo by Mike McDonald



Photo by Tinberg Farms



Photo by Grinter Farms



Photo by Patti Shirley



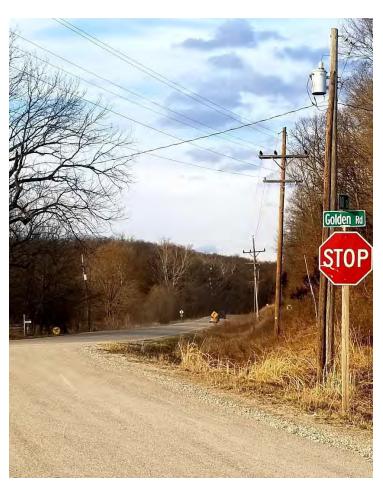
Photo by Mike McDonald





Photos by Patti Shirley







Photos by Patti Shirley













Photos by Patti Shirley





Photos by Patti Shirley





Photos by Tinberg Farms



Photo by Anthony Schmitt

The Southernmost part of Leavenworth County should continue to be considered a "great place to live" as promoted on LVCO website videos. It should remain a breathtakingly beautiful river valley, rich with agriculture, that we are proud of and willing to care for, a destination to be enjoyed by residents and visitors alike. Let this special region reflect the goal and overriding concept generated by LVCO's 2020 Comprehensive Plan for our county: "managing growth and maintaining rural lifestyles".





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Our goal is to ensure Leavenworth County can continue to grow in a sustainable way that fulfills the needs of its residents and preserves the integrity of its rural areas. To do this, Leavenworth County is undertaking a countywide comprehensive planning process. Comprehensive planning is a way to engage all members of the county to create a consensus-built vision for the future.

The comprehensive plan will address issues that have emerged in our county with the increase in development along highway corridors. Topics covered in the plan will include future land use, zoning, infrastructure, urban growth, economic development, and agriculture. This plan must reflect the needs of the whole county; therefore, we need community members living and working countywide to provide their input.

Explore this website to learn about your opportunities to engage - both in-person and online - in this exciting process.

Thank you for your thoughtful participation!





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Thank you for your thoughtful participation!

Haul Route

In this section are documents, descriptions, photographs, and commentary about the proposed haul route for the Lenape Sand Quarry. Included are a:

letter from Sheriff Andrew Dedeke on public safety

road structure report

road profile document showing a side view of the terrain elevations

presentation on inaccuracies in traffic impact study

letter to CFS about inaccuracies in traffic impact study

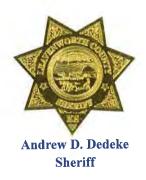
comparison of LV County roads

concerns about school bus safety

haul route noise discussion

blocked train crossings portrait

collection of haul route photographs (including surrounding roads where trucks will inevitably travel)



LEAVENWORTH COUNTY SHERIFF'S OFFICE

March 27, 2020

Commissioner Jeff Culbertson, First District Commissioner Vicky Kaaz, Second District Commissioner Doug Smith, Third District Commissioner Chad Schimke, Fourth District Commissioner Mike Stieben, Fifth District

Dear Commissioners,

I have observed from a distance the ongoing discussion regarding the sand mining special use permit (SUP) application on behalf of the Kaw Valley Companies, Inc. of Kansas City, Kansas.

Having been present during times of public comment at meetings of the Leavenworth County Board of County Commissioners, I have been impressed at the sincerity and passion individual speakers displayed while addressing this body. As I listened to their unified opposition of this SUP and subsequently visited with many residents in the area, I became acutely aware these residents are not anti-business or biased against the applicant; rather I believe their primary concern is about public safety. It is in this vein I decided to conduct a review of the proposed operation from this standpoint.

Kaw Valley Companies, Inc.

Initially, I researched the applicant business. In doing so, I did not reveal any disconcerting information. In fact, Kaw Valley Companies, Inc. appears to be a company in good standing with an emphasis in hauling and sand mining. It is true the company has been cited for violations pertaining to driver fitness, vehicle maintenance and alcohol / controlled substances however, the more serious offenses appear to have been isolated and the lesser violations relatively routine in nature. Regardless of the severity, all violations can impact the safety of motorists and pedestrians alike.

Traffic Impact Study

Next, I reviewed the traffic impact study prepared for the applicant by Cook, Flatt & Strobal Engineers P.A. It is also true I lack the educational foundation required of engineers and as such cannot dispute the report in totality. The narrative of this report clearly states this study was requested by the BOCC "...with concerns for public safety expressed by some members of the Planning Commission and several private citizens...". The value I can offer is knowledge of the area and experience with crashes, traffic problems and other pertinent activities which occur on our system of roads.

I visited the planned site for the mining operation and drove the proposed haul route to the Wyandotte County line located at the intersection of Loring Road and Loring Drive. It is important to note Leavenworth County has a resolution prohibiting the operation of commercial vehicles on county roads with limited exceptions. This resolution was developed to maintain the structural integrity of the roadways and to limit the frequency of oversized vehicles on roadways which were not engineered or constructed for such traffic. The entire proposed truck route in Leavenworth County is comprised of two roads prohibiting commercial traffic.

Referring to the traffic impact study narrative, it is proposed to simply remove the signs prohibiting commercial traffic along the haul route currently in place and update resolution 2009-50. Reason dictates these roads were included in the resolution because they were considered unsafe for large commercial vehicles to traverse or otherwise potentially damage the infrastructure. Simply removing signage and editing a resolution does not magically make these roads safe for commercial traffic. Stated upgrades to these roads in three locations certainly is a positive move, however it is really for the benefit of the Kaw Valley Company, Inc. as they will be able to enter the roadway and make turns more easily. The travelling public will still encounter and navigate around these vehicles and the integrity of the roads will continue to diminish.

Continuing, the study narrative offers a very generous description of 158th Street and Loring Road. In reality, shoulders are inconsistent in width and adjoin slopes which have been designated as recoverable, are not in all circumstances. Truthfully, sometimes a driver is able to recover and return to the hard surface if they exit the driving lane, provided speed is not a factor, weather and roadway conditions permit recovery or other obstacles such as trees, mailboxes, utility poles or driveways are avoided. Specifically, a loaded dump truck or dump trailer would have a difficult time attempting to recover once the travel lane has been departed as loads shift or the weight of the vehicle prohibits evasive action. Shoulders currently in place do not provide a safe environment to pull over for an emergency or mechanical issue. This point is punctuated on page 8 of the study which shows presumably the photographers passenger truck pulled over along 158th Street utilizing a local residents driveway entry for lack of a usable shoulder.

Lane width is typically 11' on both roads. Given that most Class 7 and Class 8 commercial trucks are 8'6'' - 9' in width, not much room is left when confronting another like sized vehicle such as a school bus or farming implement. It is estimated by local residents during the school year ten

separate school buses traverse this set of roadways every morning and afternoon. These buses stop in the traffic lane for the loading and unloading of children. (It should be noted attempts to certify the bus traffic have yielded to the school districts pandemic response).

Local Traffic & Driver Compensation

The line of sight is relatively good; however, the terrain does present obstacles which alarm me. A stopped school bus on the blind side of a hill may not be noticed by the driver of a commercial vehicle until the hill has been crested. My fear is the reactionary time required to stop or avoid a potential collision is extremely diminished. I do not question the professionalism of the applicant's drivers, but human nature lends itself to becoming complacent with repetition. If 8-10 drivers are driving this route up to an estimated 64-80 times collectively each day, will they be as focused as we would expect them to be? An accident resulting in the injury or death of someone should not be the determining factor.

Another concern is the load itself. It can be assumed there will be a minimal loss of sand with every load. Day in and day out, these minimal losses will begin to accumulate upon the driving surfaces, reducing the stopping ability of vehicles and increasing the stopping distance. This scenario lends itself to the probability of increased traffic accidents. Will the applicant be required to regularly clean the roadway or will Leavenworth County have to take on this expense and responsibility?

How are the drivers paid? By the load, by the tonnage or hourly? Hourly wages would be the most appetizing method compared to the other alternatives. If paid by the load, will drivers increase their speeds and perhaps disregard other safety measures to increase their count? If the driver is paid by tonnage, how often will the loads exceed the allowable weight thus increasing stopping distances and adding further burden to the road system? I accept this circumstance is beyond the scope of the BOCC, but I believe it is worthy to understand the compensation system in place for the reasons I have listed.

Enforcement & Accessibility

I have spoken with a representative of the Kansas Highway Patrol who is certified to perform inspections on commercial vehicles and possesses a familiarity with the area in consideration. He agrees the suggested route in Leavenworth County does not lend itself to safely conduct said inspections based upon the terrain and road structure. If a level stretch of road was deemed acceptable, it would shut down the travel lane creating a hazard for other drivers and the trooper performing the inspection. My contention is drivers will be tempted to forego responsibilities designed to ensure safety as they realize there is little chance of being stopped for the purposes of a commercial vehicle inspection.

One of the redundant concerns brought to my attention is accessibility to either the north or south sides of the railroad tracks running adjacent to Golden Road. There are two crossings along this line, both of which are routinely blocked by idle rail traffic. Kansas statute allows for trains

to block crossings for no more than 15 minutes. As a rule, this is seldom adhered to at these locations despite law enforcement intervention.

Should the crossing designated for use by the applicant be blocked, this may generate a back log of commercial vehicles stacking in the roadway awaiting access. Should this occur, the traffic safety issues I have discussed thus far will be exacerbated.

In the event both crossings are simultaneously blocked, although rare, access to the opposing side is cut off. Emergency responders have plans in place to assist each other in foreign jurisdictions, however delays will occur which may affect successful administration of life-saving aid or structural protection. Coupled to this concern is the scheduled bridge work to begin relatively soon on the 166th Street Bridge spanning the Kansas River between DeSoto and Leavenworth County. Undoubtedly, accessibility will be limited or perhaps even denied for short periods, delaying a response even more so.

Conclusion

Finally, I wish to acknowledge my input was not solicited by this body, however when considered from the standpoint of public safety, I felt as though I must provide an opinion. I have no doubt the applicant is a good company and has every intention of being a good neighbor. I understand they have taken steps to be implemented which will shield local residents from sight and sound distractions. These actions are appreciated. However, I believe the increased commercial traffic on roadways not specifically designed for such use will be a detriment to those who travel these roads and live along the route.

What is the benefit to Leavenworth County? I cannot imagine any perceived benefit will surpass the cost to Leavenworth County residents in the present or future. The proposed truck route is simply not in the best interest of Leavenworth County. This business type is more in line with a road constructed in the manner of 222nd Street between US 24-40 and K-32.

The decision before you is important. I trust this, as well as all decisions you collectively make, will be made from the stand point of what is best for Leavenworth County. It has been my intention to provide a point of view not afforded in the application or traffic impact study and I hope you find my comments helpful.

Should you have any questions or desire clarification, please do not hesitate to contact me as I am happy to assist.

Sincerely,

Andrew D. Dedeke, CPM

Leavenworth County Sheriff

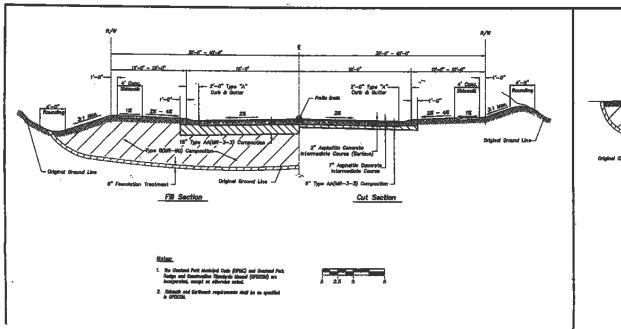
Cc: Mark Loughry, County Administrator

Lenape Sand Quarry Proposal

My name Dan Yates, I live on the proposed route at 15256 Loring Rd.

I am a contractor and have been involved in heavy construction since graduating from Pittsburg State in 198. I have been married to Dr. Deanne Grier Yates for 35 years and have 4 successful children, all graduates of KSU! We chose Leavenworth county as our home for the rural, quiet setting. In 1993, I started my construction business and primarily dealt with asphalt and concrete construction. Some of my clients include JE Dunn, Westar Energy, Atmos Energy, Water One in Johnson County and others just as noteworthy.

In the 1980s and until 1993, I worked for Max Rieke, and McAnany Construction, building many of the roads in Johnson County. I watched the design of modern roads evolve for not only the ability to withstand the traffic, but to ensure safety of the citizens. Cars and trucks are becoming more powerful and with this increased performance, attaining highway speed is easy in a short distance. Most of the roads in question were built with mules and a slip, the burden of providing a roadbed was so great when many of these roads were made, and the fact that most were built when horses were the primary mode of transportation, is the reason that lanes are narrow and the shoulders so steep they can't be walked on. The thought that 650 horsepower trucks weighing 40 tons would be traveling these roads at highway speed never entered their imagination. That these roads are not suitable for this kind of traffic from a design and safety standpoint cannot be argued. Below is a standard design for an arterial collector to handle truck traffic, nowhere in the scope of this project does a road exist with even one element of this design.



This is a standard design adopted by most municipalities, it is a typical national standard found on any county or major city website. Allowing truck traffic to access these roads is not only unadvisable, it is potentially criminal from a safety standpoint, especially considering the fact that two recent deaths on 158th street were attributable to inferior road construction. From a safety perspective, the absence of a

shoulder is obviously the major flaw in this proposal. Following, are the guidelines for shoulders from the Federal Highway Administration. This is just a summation of relevant facts pertinent to our situation.

Shoulder Width provides a number of important functions. Safety and efficient traffic operations can be adversely affected if any one of the following functions are compromised:

- Shoulders provide space for emergency storage of disabled vehicles (Figure 7). Particularly on high-speed, high-volume highways such as urban freeways, the ability to move a disabled vehicle off the travel lanes reduces the risk of rear-end crashes and can prevent a lane from being closed, which can cause severe congestion and safety problems on these facilities.
- Shoulders provide space for enforcement activities (Figure 7). This is particularly important for the outside (right) shoulder because law enforcement personnel prefer to conduct enforcement activities in this location. Shoulder widths of approximately 8 feet or greater are normally required for this function.
- Shoulders provide space for maintenance activities (Figure 7). If routine maintenance work can be conducted without closing a travel lane, both safety and operations will be improved. Shoulder widths of approximately 8 feet or greater are normally required for this function. In northern regions, shoulders also provide space for storing snow that has been cleared from the travel lanes.
- Shoulders provide an area for drivers to maneuver to avoid crashes (Figure 7). This is particularly important on high-speed, high-volume highways or at locations where there is limited stopping sight distance. Shoulder widths of approximately 8 feet or greater are normally required for this function.
- Shoulders improve bicycle accommodation (Figure 8). For most highways, cyclists are legally allowed to ride on the travel lanes. A paved or partially paved shoulder offers cyclists an alternative to ride with some separation from vehicular traffic. This type of shoulder can also reduce risky passing maneuvers by drivers.
- Shoulders increase safety by providing a stable, clear recovery area for drivers who have left the travel lane. If a driver inadvertently leaves the lane or is attempting to avoid a crash or an object in the lane ahead, a firm, stable shoulder greatly increases the chance of safe recovery. However, areas with pavement edge drop-offs can be a significant safety risk. Edge drop-offs (Figure 9) occur where gravel or earth material is adjacent to the paved lane or shoulder. This material can settle or erode at the pavement edge, creating a drop-off that can make it difficult for a driver to safely recover after driving off the paved portion of the roadway. The drop-off can contribute to a loss of control as the driver tries to bring the vehicle back onto the roadway, especially if the driver does not reduce speed before attempting to recover.

Federal Highway Administration Publication (safety.fhta.dot.gov)

The last paragraph in their publication is prophetic with respect to the truck driver that lost his life on 158th Street last summer, its an exact description of how his accident occurred.

One of my other endeavors was as a member of the Sherman Township Fire Department. I don't care to recall the number of people we extricated from rollover accidents on these very roads, the statistics are easily obtained and are significant.

The next publication I would like to reference is a study Published by the Minnesota Department of Transportation, "Assessing the Effects of Heavy Vehicles on Local Roadways".

It is a comprehensive study done by the Center for Transportation Research and Implementation at Minnesota State University. It is much too large to include in this letter, however, I will provide some of the high points.

In their research, one trip by a semi type heavy truck is equal to 1408 trips by a passenger car, (pg 9, Table 2)

Another study, by the City of Spokane Washington, estimates it is equivalent to 13,700 passenger cars. (pg 13)

In this same report they referenced a study at Texas A&M University that estimated the per mile cost to roadways at 5 to 55 cents per mile depending on the type of roadway. Considering the fact that our roads are woefully inadequate for heavy truck traffic, we will be on the upper end of this cost.

I am a contractor, I have an account with Kaw Valley, this could potentially benefit me from a business standpoint, especially when they get it approved for a construction/demolition dump as they have every other facility they own. I am still opposed. The only way this should go through is if the haul route is improved to national standards as I have outlined, an irrevocable agreement into perpetuity that states it will only be used for sand mining and recreation, and the county forces them to stay on the approved route subject to a \$100,000 fine for traveling on unapproved roads. I add this latter stipulation because the law passed in 2007 has never been enforced.

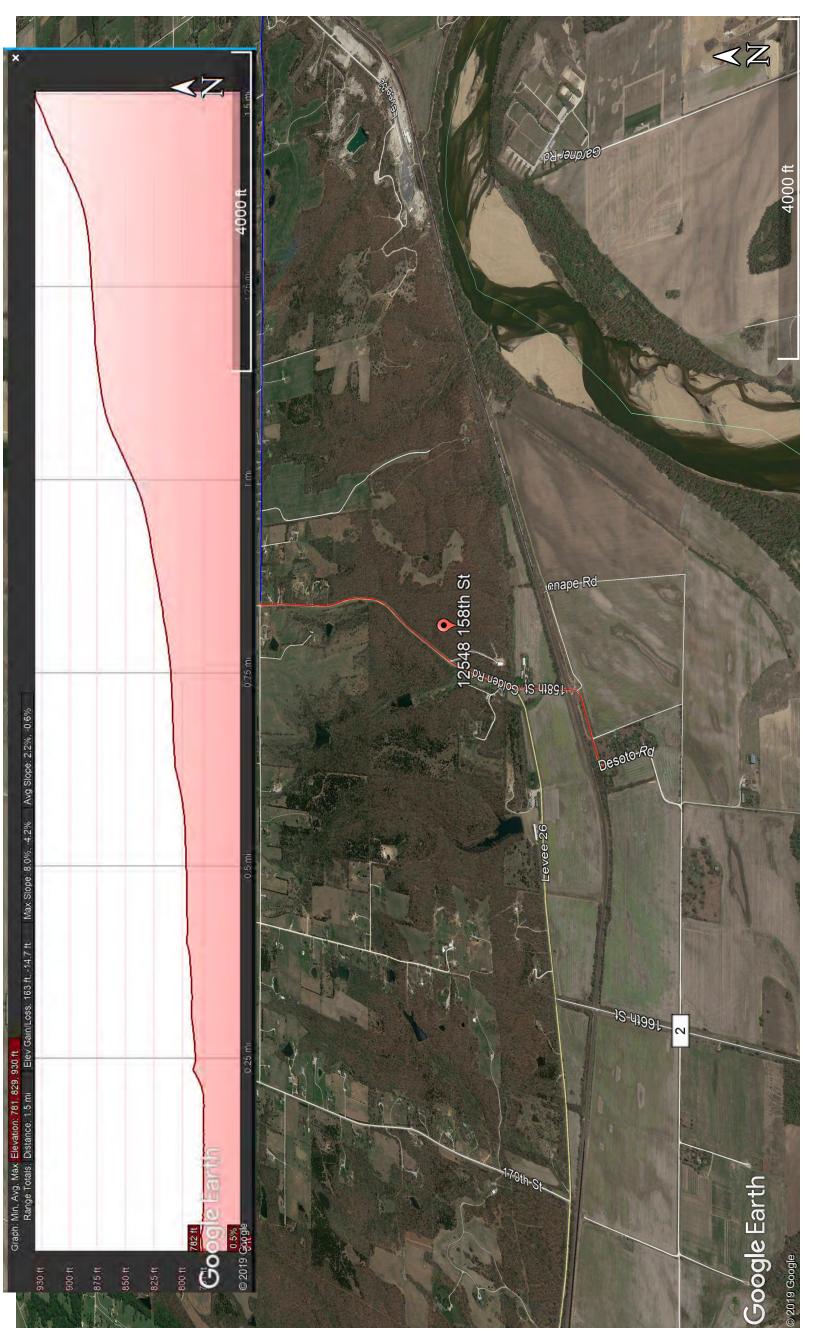
Lastly, what does malfeasance mean in law?

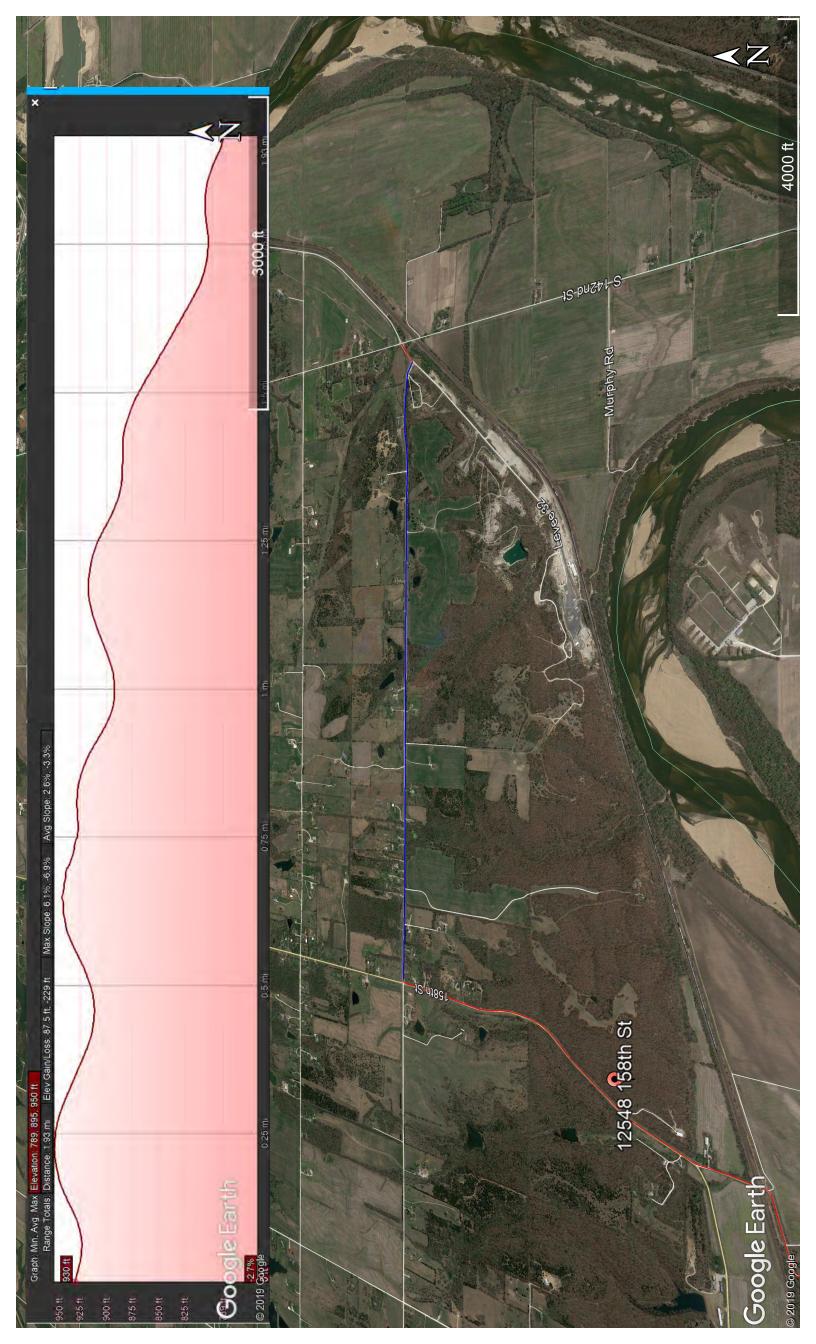
Intentional conduct that is wrongful or unlawful, especially by officials or public employees. **Malfeasance** is a higher level of wrongdoing than nonfeasance (failure to act where there was a duty to act) or misfeasance (conduct that is lawful but inappropriate).

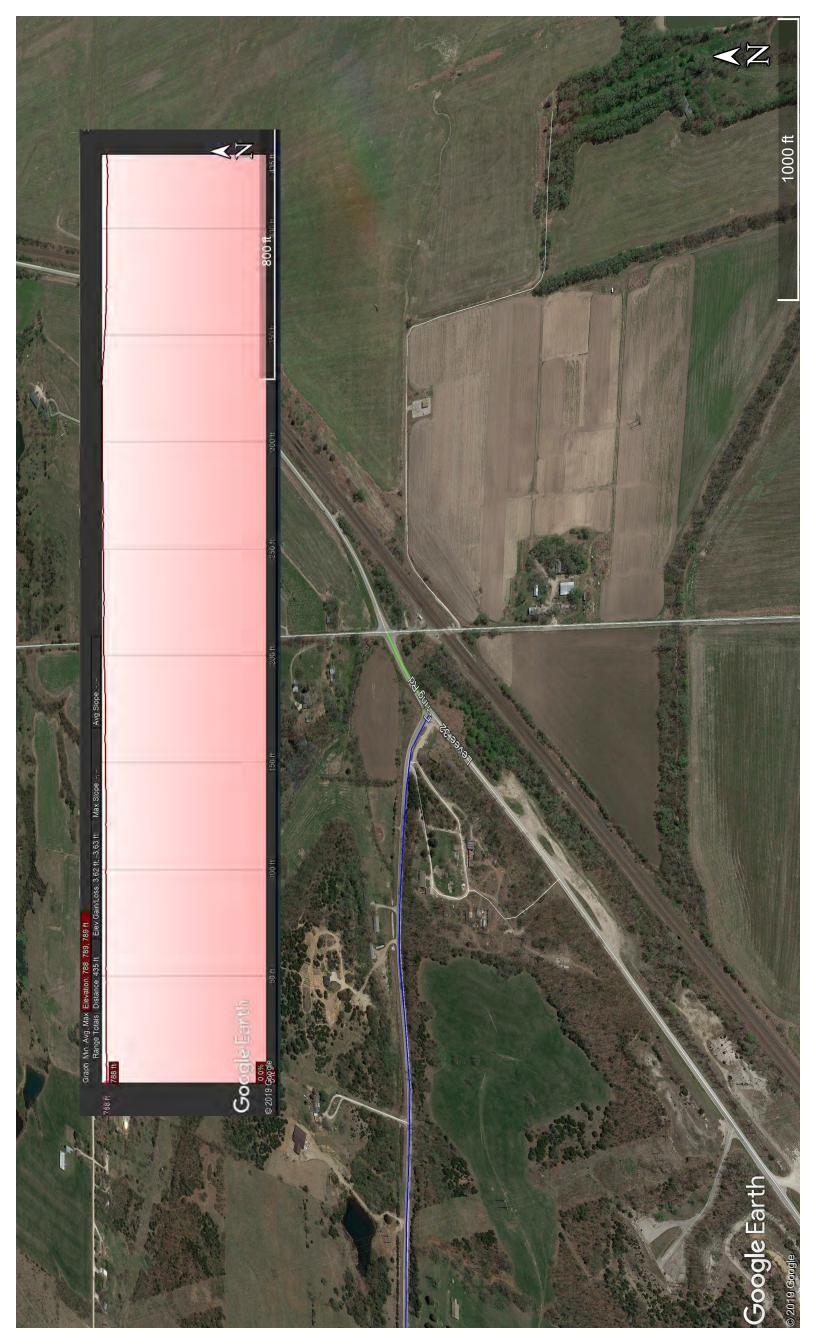
It is the opinion of many that approving such a project with such condemning evidence that clearly illustrates the danger to the public, without adhering to a strict business plan, would clearly be malfeasance, possibly leading to liability in the case of an accident, such as a school bus full of children being forced off the road and rolling.

I respectfully urge you to examine the evidence and your conscience.

Dan Yates







I am Nancy Carpenter, 14681 Kreider Road in Bonner Springs.

It should come as no surprise to you that I have been carefully studying the Lenape Sand Quarry documents provided by Kaw Valley and sealed by an engineer with Cook, Flatt, and Strobel. The Traffic Impact Study dated January 9, 2020 is of particular interest to me.

There are two photographs of 158th Street in the study, one taken at the northern end just south of Loring and the other at the southern end of the road. Page 13 shows a diagram of a "TYPICAL section" of 158th Street. It details a two foot PAVED shoulder, next to a one to four foot graded shoulder with a side slope beyond that. The accompanying text does make an acknowledgement that some areas only have the minimum shoulder width and a narrow break from the side slope. It also says the sides APPEAR to be graded to a recoverable slope of 4:1. I take recoverable to mean a slope from which a vehicle could successfully remount the paved surface if it ran off the road.

I would be remiss if I waited until the April 15th public hearing to tell you that this information is incorrect. I know this because Sarah Williams and I spent two afternoons taking measurements on 158th Street as we doubted the accuracy of the claims made on page 13. On January 15th, Commissioner Kaaz and Commissioner Schimke both told us that they didn't want us going out on the roads to take measurements, but we had no choice.

The 158th Street piece of the proposed haul route is just over a mile long. On our first afternoon, we walked three tenths of a mile from the northern end and randomly measured looking for a recoverable roadside. We took dozens of pictures and found NO spot that had a 4:1 or flatter slope. Meaning that along this typical stretch of 158th Street, if a car or truck goes off the road, in all likelihood, it will not be able to safely make it back onto the road surface.

On our second afternoon, we walked three tenths of a mile from the southern end and randomly measured looking for a two foot paved shoulder. We again took dozens of

pictures and found only one spot, right beside a driveway, where there was a two foot, PAVED shoulder. At places, the paved shoulder was as narrow as 4 inches. Beyond the paved shoulder, packed gravel was found. Even combining the paved shoulder and the packed gravel, we did not find a two foot edge. As we did our shoulder measurements, we also did random recoverable slope measurements. We found one area that barely passed as recoverable. We also found fresh tire marks at a spot where it was obvious that a vehicle had not recovered without assistance.

On the two stretches we studied, we found that the "TYPICAL" road was nothing like the one described on page 13 of the Traffic Impact Study. The funny part is, we studied the safest sections of the road. We avoided the in-between section where at places you'll find no shoulder and a sheer drop off - we knew that would be an extremely dangerous section to walk.

You have spoken of wanting to look at evidence. You have asked us to let you know when we find problems with this proposal. This is a huge problem. There are supposed facts given in the Traffic Impact Study that were not checked and that are not verifiable. If you look to this road description in your decision making process, you will be relying on inaccurate information.

I have debated about what I'd like to see happen to rectify this matter. As I talked it over with my husband, he reminded me of the 1981 Hyatt Regency tragedy when engineering inaccuracies were ignored ... 114 people died.

It is my hope that you take this information to your consulting firm for discussion, then reject this document along with any others sealed by the engineer of record. I also suggest that you consult legal counsel as to the process of filing a complaint with the Kansas Board of Technical Professionals against that engineer on behalf of the County. If the County chooses to ignore this matter, it will fall to its citizens to file a complaint. If the County chooses to ignore this matter and eventually approves the Lenape Sand Quarry application, you will be culpable when accidents occur that are tied to sand truck traffic being allowed to travel these unsuitable roads.

I would like my statement to become a part of the DEV 19-008 public record. As always, thank you for your time.

Nancy Carpenter

6/17/2020

To:

Doug Smith

Mike Stieben

Chad Schimke

Vicky Kaaz

Jeff Culbertson

Mark Loughry

David VanParys

Good morning -

Back on February 26th, <u>I made a presentation to the BOCC detailing errors in the Cook</u>, <u>Flatt</u>, <u>& Strobel traffic study</u>. That study was offered as evidence that the roads on the truck route for the proposed Lenape Sand Quarry are sufficient to assure the safety and welfare of the residents of Leavenworth County. At the time, I asked that my report be added to the documents in the public record for DEV 19-008.

I don't know if you or other county entities acted on my concerns. I ask that you reread my words and consider them as you approach the hearing for the Lenape Sand Quarry.

The roads described in the Cook, Flatt, & Strobel report do not match the actual roads in question. If you use their document as confirmation that these roads are well suited for the proposed heavy truck traffic, you will be doing a disservice to the residents of our County.

Respectfully,

Nancy Carpenter

February 20, 2020 – looking for a 4:1 recoverable slope on 158th Street south of Loring



February 22, 2020 – looking for a two foot paved shoulder on 158th Street north of the turn onto Golden Road





February 22, 2020 – fresh tracks of a vehicle on 158th Street that did not recover without assistance

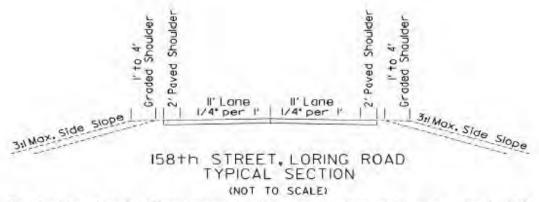


158th Street South of Loring Road, Looking South

158th Street: Major Collector, Two 11 ft Lanes, 2 ft paved shoulders, Posted Speed Limit 50 mph with Advisory Speed Limits of 35 mph and 40 mph, AADT = 1602 vpd



158th Street Looking South Towards Curve to Golden Road



The shoulders along the different segments of the proposed quarry truck haul route vary in width. According to AASHTO Section 4.4.1, General Characteristics (of Shoulders) the "graded" width of shoulder is that measured from the edge of the traveled way to the intersection of the shoulder slope and the foreslope planes. Shoulders may be surfaced either full or partial width. Golden Road, 158th Street and Loring Road have overall pavement widths consisting of a 2 ft wide paved edge shoulder and 11 ft wide lanes. In addition, the graded area along the edge of pavement can range in width from 1 ft to 4 ft. According to AASHTO Section 4.2.2, Width of Shoulders, a minimum shoulder width of 2 ft should be considered for low-volume highways, and a 6 to 8 ft shoulder width is preferable. With the available right-of-way and the presence of open roadside ditches along both sides of nearly all of the roadway segments in the proposed quarry truck haul route, there are some areas with minimal shoulder widths where the break between the edge of pavement and the foreslope plane is only 1 ft. The foreslopes appear to have been graded at 4:1 maximum slopes, which the AASHTO Roadside Design Guide designates as recoverable.

Cook Flatt & Strobel Engineers P.A. 1421 E. 104th Street, Suite 100 Kansas City, Missouri 64131

June 8, 2020

RE: Technical Deficiencies and False Statements

Traffic Impact Study Dated February 18, 2020 Mr. Sabin Yanez
Prepared for: Kaw Valley Companies, Inc. Mr. Lance Scott
Sealed by Tom Ingram KS PE License No. 11261 Mr. Kenneth Blair

cc:

Mr. Robert Chambers:

I am a Leavenworth County resident who is actively working with other residents on reviewing Kaw Valley Companies' (KVC) Special Use Permit (SUP) for proposed Lenape Sand Quarry. In reviewing the documents submitted by KVC, I am concerned with the inaccuracies and deficiencies provided in the Traffic Impact Study prepared and sealed by your firm.

Mr. Ingram has signed and sealed a report dated February 18,2020. This report is associated with the condition of the existing 158th Street roadway south of Loring Road in Leavenworth County which is currently restricted and does not allow commercial traffic. The report has been submitted to Leavenworth County Board of County Commissioners to be used as part of the evaluation for a SUP requiring a haul route for approximately 100 loaded sand trucks per day, for up to six days per week for the next 25 years. This number is not inclusive of the trucks driving towards the proposed facility, prior to loading. Therefore, the number is essentially doubled.

The report includes statements about a typical section, and the dimensions of the shoulder, particularly that the paved shoulder is about two feet in width and the unpaved shoulder is built at a 4H:1V slope away from the roadway. Independent measurements of the route by qualified lay persons demonstrate that this is simply not the case. The paved lane widths are 22 feet from center of white line to center of white line. There is much less than two feet of pavement outside the white line, and the unpaved shoulder is much steeper than 4:1. This can be clearly seen in the photos below:



It is worth noting that in several sections of this roadway, there are less than six inches of pavement outside the edge of the white line and there is less than one foot of steep unpaved shoulder. This is typically followed by a drop of over two feet, which is not a "recoverable" slope for vehicles leaving the roadway. At many points along

the roadway, there is no shoulder at all. These defects are NOT mentioned in the report prepared by Mr. Ingram. See photos below for another example of the existing shoulders that are evidently not "recoverable":



It is unconscionable that Mr. Ingram can state in a manner of a Professional Engineer that the "overall pavement widths of 2 ft wide paved edge shoulder AND 11 ft wide lanes" of 158th Street represents the actual field conditions. His report brings into question if he has actually personally inspected this portion of the roadway. This report needs to be withdrawn or revised to reflect reality.

According to Kansas State Board of Technical Professions, Article 6 Professional Practice, 66-6-4, Professional Conduct:

- (f) In all professional reports, statements, and testimony, each licensee shall meet the following requirements:
 - (1) Be completely objective and truthful; and
 - (2) include all relevant and pertinent information.

The intent of the report is to inform those less technically competent about road design and it appears that the report is not objectively written.

At this time, if the actions requested above are not implemented, my next step will be to file a formal complaint with the KSBTP.

Thank you in advance for your attention to this sensitive matter.

Respectfully,

Ben Morgan 12548 158th St Linwood, KS 66052

Leavenworth County Road Comparisons

On a Sunday drive thru beauful Lea venworth County some simple comparisons were made to our County roads. No technical equipment or monitoring equipment of any kind was used. Two people, a tape measure, and a stopwatch were uliz ed.

Road Name	Road width measurements Edge of	f Traffic Volume
	Pavement to edge of pavement	
County Road #1	36'	One vehicle every 30 seconds to a minute
147 th Street	34'- 35'	One vehicle every 2 ½ minutes
Loring Road	28'- 29'	One vehicle every 30 seconds to a minute
County Road #2	23' – 27'	One vehicle every 15 to 30 seconds

County road #1: Three measurements were taken between K32 & 24-40. They were taken from centerline to edge of pavement (east) and centerline edge of pavement (west). All three measurements were the same so no more were taken. While the vehicle was parked on the side of the road any vehicle passing us did not cross the centerline to do so. Posted speed limit is 55 mph. This road improvement project was 5.3 miles long measured by vehicle odometer. This improvement originally cost Leavenworth County residents \$ 1,352,587.60 per mile. There was an overlay project in 2019 for a cost to Leavenworth County residents of an addional \$ 197, 504.88 per mile. That's a total of \$ 1,550,092.48 per mile for all costs of the renovaon of this road. Below is a photo of county road #1 north of 1-70.



		COUNTY ROAD NO. 1 -
DATE	DESCRIPTION	Expenses
05/31/07	Lethrop & Gage, Legal Fees	\$6,125.00
	Lathrop & Gage, Legal Fees	\$7,542.50
	Lathrop & Gage, Atty Fees, Co. Rd. 1	\$497.50
02/29/08	Right of Way Associates, App, & Acquistion	\$8,306.25
03/31/08	Right of Way Associaties, partial Bill on Rt. 1	\$7,443.75
03/31/08	R. Wagner, Research Condemnation	\$550.00
04/30/06	Right of Way Associates, Parisi Billing, Co. Rd. 1	\$28,218.64
04/11/08	Larry & Sherri Rose, Temp. Constr. Essement	\$270.00
	James & Virginia Baker, R/W Essements	\$2,474.00
04/11/08	Robert & Glorie Schrick, R/W Essements	\$326.00
	Gary & Kay Bennett, Temp. Const. Easement	\$9,860.00
04/18/08	Richardo & Evelia Diaz, Temp. Const. Easement	\$8,381.00
	Eugene & Weta Owen, RW Essements	\$74,000.00
04/25/08	Rocky & Judy Gumbel, Temp. Const. Essement	\$13,109.00
04/25/08	Rick & Angelique Mills, R/W & Temp. Easement	\$2,508.00
04/30/08	Right of Way Associates, Partial Billing	\$12,204,18
04/30/08	Kansas Tumpike Autholity, Study/Final Design	\$929,167.86
04/30/06	Elizabeth McKie, R/W Essements	\$26,111.00
04/30/08	Taligate Ranch Co., R/W Essements	\$130,300.00
04/30/08	Gary Ditty, R/W Temp. Easements	\$5,992.00
04/30/08	Donald Budd, Jr., Perm Temp. Damages	\$1,334.00
	Dennis & Jann Doty, Perm. Temp. Damages	\$16,865.00
	Richard Prater, Temp. Essement	\$10,691.00
	Right of Way Associates, Prtial Billing	\$13,952.65
05/15/06	Shawn & Lora Goyer, R/W Temp., Demages	\$18,506.00
	Donald & Cheryl Walters, R/W/ Temp. Damages	\$14,171.00
05/15/08	William & Molissa Tillman, Temp. Easement	\$6,420.00
05/15/08	Kansas Tumpike, Final Design On Rt. 1	\$42,856.04
05/23/08	Leaverworth Times, Publication on Rt. 1	\$2,736.22
05/23/08	Dannis & Cheryl Rudder, Temp. Essement	\$250.00
05/30/08	James Godd, R/W Temp, Damages on Rt. 1	\$11,295.00
	Bryan & Tamara Kemp, R/W Temp Damages	\$18,098.00
	John & Cassandra Stahl, Temp essement	\$1,060.00
	Teligate Ranch Co., Cost to Cure Demages	\$20,800.00
	KDHE, Bureau of Water, Permit Fee, Rt. 1	\$60.00
	John E. & Carolyn C. Wise, Temp Essement	\$2,534.00
	John E. & Carolyn C. Wise, RW &Temp Essement	\$27,350.00
	John E. & Carolyn C. Wise, RW &Temp Essement	\$22,938.00
06/06/08	John E. & Carolyn C. Wise, Temp Essement	\$308.00
	The Leavenworth Times	\$1,721.25
	Clerk of District Court, Condemnation on Rt. 1	\$363,517.00
	Clerk of District Court, Ct. Appointed Appraisers	\$40,500.00
	arry Hood, Temp Const. Essement, Rt. 1	\$800.00
	P.O. #6-1, Leavenworth County Coop	\$780.00
07/01/08	P.O. # 6-2, Right of Way Associates	\$7,470.65
	P.O. #6-8 KTA, Final Design on Rt. 1	\$28,587.31
	P.O. #6-13 Leav. Times, Publication on Rt. 1	\$181.38
	P.O. #6-16, Register of Deeds, Condern. Rt. 1	\$20.00
	P.O. 7-4 Ks. Dept. of Agriculture, Permit Appl	\$800.00
V1/10/U0 1	.c. r- ns. Dept. or Agriculture, Permit Appl	\$600.00

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DATE	DESCRIPTION	COUNTY ROAD NO. 1 -
		Expenses
	P.O. 7-5 Tailgate Ranch, Fencing	\$7,800.00
	P.O. 7-6, Billy & Deborah Skeet, Right of Way	\$6,437.33
	P.O. 7-1, Right of Way Associates, Partial	\$1,380.00
	P.O. 7-3, Ks Tumpike Authority, Final Design	\$38,069.84
	P.O. 8-1, Kansas Tumpike , Final Design C. Rd 1	\$70,064.20
	Wired Out to Op-enheimer CO., Bond Costs	\$34,600.00
	Wired Out to Op-enheimer CO., Bond Costs	\$1,800.00
	P.O. 9-1 Right of Way Assoc. Partial Billing	\$5,250.00
	P.O. 10-3 Rural Water Dist. Relocation of Lines	\$100,000.00
	P.O. 10-1, Right of Way Assoc. Partial Billing	\$5,400.00
	Mary Lou Quinten, Right of Way,	\$16,669.00
	Rural Water District, Relocation water line	\$25,954.00
	Right of Way Associates, Partial Billing	\$6,960.00
	Tailgate Ranch Co., Damage to Shed	\$19,200.00
	Lynch Consulting Services, Comm. Project	\$8,937.50
	District Court of Leavenworth	\$107,596.00
	Harman Farms, Litigation Waiver	\$19,654.00
01/30/09	Jay Miller, R/W Essement	\$4,614.00
	Jay Miller, R/W Easement	\$6,033.00
01/30/09	Right Of Way Associates, Final Billing	\$495.00
	Kansas Tumpike Authority, First Payment	\$1,392.12
	Kansas Tumpike Authority, Payment	\$1,392.12
01/30/09	Leavenworth Times, Publication on Rt. 1	\$122.50
01/30/09	Right of Way Associates, Partial Billing	\$1,140.00
01/30/09	Rural Water District #10, Water Line Relocation	\$1,366.00
01/30/09	Frank & Jeanne Smith, R/W Ease & Damages	\$8,707.00
	Frank & Jeanne Smith, R/W Ease & Damages	\$33,626.00
01/30/09	Elmer Rains, RW Ease & Damages	\$15,993.50
01/30/09	llene Shoemaker, R/W Ease & Damages	\$15,993.50
02/27/09	Right of Way Associates	\$1,200.00
02/27/09	Kansas Media One Notice Hearing Harmon Farms	\$818.60
02/27/09	Kansas Turnpike Authority, Payment	\$380.18
	Rural Water #10, Waterline Relocation RT1	\$34,124.30
	Kansas Turnpike Authority, Project Costs	\$4,164.33
	Rural Water District #10, County Route 1 Project	\$20,953.80
04/30/09	Rural Water District #10, Water Line Relocation	\$13,606.80
	Patricia Miller, Settlement of Appeal Case	\$13,000.00
	Kansas Tumpike Authority, Project Costs	\$7,149.69
	Rural Water District #10, Water Line Relocation	\$460.00
	Patrick J Reardon, Acquistion of Property	\$431.25
The second district to the second	Right of Way Associaties, Support Services	\$375.00
	Kansas Tumpike Authority, Project Costs	\$10,023.96
	First National Bank & Trust, Credit Fee	\$8,100.00
	First National Bank & Trust, Atty Fee Reim	\$465.00
	KDHE, Bureau of Water, Permit Fee, Rt. 1	\$60.00
	Kansas Tumpike Authority, Project Costs	\$12,529.82
	Kenses Tumpike Authority, Project Costs	\$13,411.38
	Rural Water District #10, County Route 1 Project	\$22,613.74
	Wester Energy, Final Bill- County Route 1 Project	\$28,186.53

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DATE	DESCRIPTION	COUNTY ROAD NO. 1 - Expenses
	Kansas Tumpike Authority, Project Costs	\$19,514.59
	Rural Water District #10, County Route 1 Project	\$9,526.00
	Kansas Turnpike Authority, Project Costs	\$25,362.83
	Midwest Mobile Radio, General Fund	\$886.60
		7.0
12/31/09	Kansas Tumpike Authority, Project Costs	\$56,494.96
DATE	DESCRIPTION CARRY OVER TO 2010	\$2,819,853.17 COUNTY ROAD NO. 1 \$2,819,853.17
01/21/10	Kansas Tumpika Authority, Project Costs	\$227,411.72
01/31/10	Kansas Tumpika Authority, Project Costs	\$113,705.86
	Fencing Eradication Costs_Tailgate Ranch	\$10,863.00
	Kensas Tumpike Authority	\$234,925.14
	KTA Project for CR-1	
	KTA Project for CR-1	\$117,462.57
	KTA Project for CR-1	\$117,462.57
		\$17,462.57
	Debt Service Tongle - Toward CR-1 KTA Project for CR-1	\$100,000.00
		\$117,462.57
	KTA Project for CR-1	\$117,462.57
	Erosion Control - Bingham Landscaping	\$5,403.15
	KTA Project for CR-1	\$117,482.57
	KTA Project for CR-1	\$117,482.57
12/27/2010	KTA Project for CR-1	\$117,482.57
		\$4,351,862,60
	CARRYOVER FOR 2011	\$4,351,862.60
1/24/2011	KTA Cost on CR-1	\$117,482.57
2/11/2011	KTA Cost on CR-1	\$117,462.57
03/18/11	KTA CR1 Project	\$117,482.57
04/15/11	KTA CR1 Project	\$117,462.57
05/13/11	KTA CR1 Project	\$117,482.57
06/10/11	KTA Project for CR-1	\$117,462.57
07/15/11	KTA Project for CR-1	\$117,462.57
08/22/11	KTA Project for CR-1	\$117,462.57
*******	KTA Project for CR-1	
09/23/11	NIA PIORECITOR CR-1	
10/24/11	KTA Project for CR-1	\$117,462.57
10/24/11	KTA Project for CR-1	\$117,462.57
10/24/11 11/29/11 11/29/11	KTA Project for CR-1 Void Check 30732 KTA Project for CR-1	\$117,462.57 (\$2,400.00)
10/24/11 11/29/11 11/29/11	KTA Project for CR-1 Void Check 30732 KTA Project for CR-1	\$117,462.57 (\$2,400.00) \$ 117,482.57
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10/24/11 11/29/11 11/29/11 12/22/2011 1/23/2012 2/27/2012 3/26/2012 4/23/2012 5/16/2012	KTA Project for CR-1 Void Check 30732 KTA Project for CR-1 KTA Project Costs for Rt 1 County Rd 1 project Cost County Rd 1 project Cost County Rd 1 project Cost KTA Project Cty Rd 1 Project Debt Svc KTA Project Cty Rd 1 Project Debt Svc COunty Rd 1 project Cost	\$117,462.57 (\$2,400.00) \$ 117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57
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10/24/11 11/29/11 11/29/11 12/22/2011 1/23/2012 2/27/2012 3/26/2012 5/18/2012 6/25/2012 8/24/2012 8/24/2012	KTA Project for CR-1 Void Check 30732 KTA Project for CR-1 KTA Project Costs for Rt 1 County Rd 1 project Cost County Rd 1 project Cost CTA Project Cty Rd 1 Project Debt Svc KTA Project Cty Rd 1 Project Debt Svc CTA Project Cty Rd 1 Project Debt Svc County Rd 1 project Cost Canasa Tumpike Authority KTA Project Cty Rd 1 Project Debt Svc CR1 payment	\$117,462.57 (\$2,400.00) \$ 117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57
10/24/11 11/29/11 11/29/11 12/22/2011 1/23/2012 2/27/2012 3/26/2012 4/23/2012 6/25/2012 6/25/2012 8/24/2012 10/5/2012	KTA Project for CR-1 Void Check 30732 KTA Project for CR-1 KTA Project Costs for Rt 1 County Rd 1 project Cost County Rd 1 project Cost COUNTY Rd 1 project Cost CTA Project Cty Rd 1 Project Debt Svc KTA Project Cty Rd 1 Project Debt Svc County Rd 1 project Cost Cansas Tumpike Authority CTA Project Cty Rd 1 Project Debt Svc	\$117,462.57 (\$2,400.00) \$ 117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57 \$117,462.57

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2/10/2020

COUNTY WIDE SALES TAX - FUND NO. 170

12:24 PM

DATE	DESCRIPTION	COUNTY ROAD NO. 1 - Expenses
12/20/2012	CR1 payment	\$117,462.57
12/24/2012	KDOT - Gen Fund Fee	\$150.00
9/5/2019	BHC Rhodes- Professional Services	\$11,070.00
11/4/2019	McAfee Henderson Soltuions- construction	\$14,950.00
11/7/2019	Cutler Repaying, County Rd 1 Repaying	\$1,020,755.87
		\$8,215,490.15
		Expenses

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The next road in this comparison study was 147th street between county road #35 and county road #8. The posted speed limit is 40 mph and this road project was 3.9 miles measured by odometer. Five measurements were taken the first by CR #35 (Parallel) the last by CR #8 (Fairmont) and every mile in between. Every measurement was different, but all were between 34'-35'. Measurements were taken in the same manner as before. Again, while parked on the side of the road a passing vehicle did not cross the centerline to do so. While sing south of F airmont on 147th street the me measur ed between vehicles was 2 minutes and 44 seconds. Picture of 147th street north of CR #35 heading north bound.



This project started in 2015 and was completed in 2019 at a cost to Leavenworth County residents of \$7,853,387.84. As previously stated, this road is 3.9 miles for a cost per mile of \$2,013,689.19. That is approximately a half a million dollar increase per mile over CR#1 costs. This road is no truck route or piece of infrastructure it is a pass through from CR #35 to CR #8 for residents. CR #1 takes you from a state highway to a state highway with interstate access in between. County wide sales tax fund spreadsheet follows, for this comparison you would need to read column marked as 147th street expenses.

DATE DESCRIPTION 9/3/2015 Cost itsurance 0/20/2/15 Boord Proceeds Wired in 0/20/2/15 Boord Proceeds Wired in 0/20/2/15 Standard Boors, Cast 1003 0/20/2/15 Gainore & Bail, Cast 1005	Acet. No. 732	Acet. No. 731	Aget No. 732		Anna Ma wat				Miscel.		
9/3/2015 Cost laturance 09/2/4/5 Bond Proseeds Whed in 09/2/4/5 Paper Jaffiely & Co. Cost 1000 09/2/4/5 Student & Porth, Call 1004 09/2/4/5 Gilmon & Ball, Call 1005	Other	PACCEROS	PROCEEDS, TEMP NOTE	Acct. No. 201 SALES TAX REVENUE	ACCT. NO. 201	Legal Services (230)	Cost of lesus- EXPENSES (401)	Trans Out for P & I Payments	Expenses	147TH Btreat EXPENSES (201-303)	Epizenses (201- 303)
09/24/16 Bond Proceeds Wined in 09/28/15 Beaute utiling & Co. Cale 1003 09/28/15 Stendard & Poorts, Cale 1004 09/20/15 Gilmone & Bell, Cale 1004	\$170,000.00										
09/28/15 Piper Jaffray & Co. Cidf 1003 09/28/15 Standard & Poorts, Cidf 1004 09/30/15 Gilmore & Bell, Cidf 1006		\$8,334,486.30									
09/20/15 Gilmore & Bett, Clef 1005							\$30,000.00				
							\$16,000.00				
09/30/15 Office of the State Tressurer, Cid1006							\$2,580,00				
09/30/15 Lockwood Co. Inc. Cldf 1007									\$408.25		
09/28/15 Affinis Corp. Cief1001										\$23,431.36	
1000015 Commann Back Cost of Issuence Citeratus							00 0000	-		\$521.00	\$1,063.50
10/06/15 Imagemeter, LLC, CK# 1010							2800.00				
10/06/15 Ks. Atty General, sales tax bond, CK# 1012							\$225.00				
10/15/15 Affeit Corp. CK#1011										\$37,343.73	
10/21/15 Forskind Engineering, Clarifold										\$414.00	\$1,750.00
11/20/10 Annia Corp. Crestola										\$24,895.82	
11/24/15 Forskind Engineering CXXS018							i			2000	90,200.00
1205/15 Affinia Corp CK#1017										926 830 22	
12/22/15 Forsland Engineering, CK#1018	1 1 2 mmod									\$118 DO	
	· · · · · · · · · · · · · · · · · · ·	新香香香	THE SECTION	野田をある	The second		CSMT-MA	10 東西北北北	14. W. S.	100	\$26,351.00
01/20/16 BHC Rhodes, CK#1020											08 807 052
01/20/16 Forskind Engineering, CK#1021										\$200.00	
01/31/16 Trans to B&I #304 for interest Payment								\$109,964.33			
02/15/16 Affinis Corp. CK#1022, Prof. Services										\$60,775.09	
02/19/16 Forskind Engineering, CK#1024										\$400.00	\$28, 188, 14
02/22/16 Bank Fee for Transfer		100000	The state of the s				\$12.00				
03/03/16 Affinis Corp., CX#1025										\$36,611.50	
3/10/2016 Affinis Corp., CK#1026							-			\$84,036.68	
3/20/2016 Foreign Engineering, CKF1027										00:000	
3/26/2016 Forstand Enghanting, CACHTO27											300000
4/7/2016 BHC Rhodes, CK#1028	1000 0000000000000000000000000000000000										\$10,720.20
4/7/2016 BHC Rhodes, CK#1028											\$20,077.72
4/18/2016 Affinis Corp. CK#1029										\$32,950.35	
4/21/2015 Forsiund Engineering, CK#1030										\$1,350.00	\$800.00
S/12/2016 Affinis Corp, CK#1031, Prof. Services, 147th										\$46,682.72	
6/13/2016 Affinis Corp. CK#1031, Prof. Services, 147th										\$2,993.60	
CYLZZO16 Wilson & Co. CKR1032, Prof. Services, Eisen.											
STREET OF THE STREET OF THE ST. CONSUMING							-			\$2,500.00	
AMBINOTA Exerting Eng. Cherchal Electronics											\$650.00
AMPOUR Steve & Tedeson CKEINS BOW 147th										A correct	
S/19/2016 Harold Cunninotem, CK#1033, ROW, 147th										64 378 M	
S/18/2016 Charles Fouts, Trust CK#1035, ROW, 147th										67 018 CO	
5/25/2016 Dennie C. Nichols, CK#1038, ROW, 147th										65 ABO 20	
5/25/2016 BHC Rhodes, CK#1037, McIntyre										on anning	CHARLES
5/26/2016 BHC Rhodes, CK#1037, McIntyre											\$1 749.00
5/26/2016 Charles Fouts, Trust, CK#1039, ROW, 147th										SA ROR CO	

COUNTY WIDE SALES TAX - FUND NO. 171 - CAPITAL ROAD PROJECTS

DESCRIPTION DESCRIPTION	Other REVENUE	BOND PROCEEDS	Acct. No. 732 PROCEEDS, TEMP NOTE	Acct. No. 201 SALES TAX	Acet. No. 301 INTEREST	8		Trans Out for	Medi	147TH Street	McIntyre Road E.
S/10/2016 Intermet collect					VENENDE	Services (230)	EXPENSES (401)	P & Payments	Expenses	EXPENSES (201-303)	303)
Average here										\$3,312.00	
Grand Affine Corp. CK#1041, Prof. Services, 147th					\$4,550.00						
of larcoll Banes Properties, LLC, CK#1042 ROW, Tract B-13	13									\$36,611.50	
W16/2016 Bonse Properties, LLC, CK#1042 ROW, Tract B-17	7									\$4.803.00	
WIGGING Dave & Britaney Bove, CK#1043, ROW, Tract D-6										\$2.187.00	
Average A Linda Brandt, CK#1044, ROW Tract A-14										\$6.170.00	
RYMONIA LOUIS OF S January Freeman, CK#1045, ROW Tract B-5	Tract B-6									\$2,681,00	
BYINCOTE LINES B. T. T. T. S. LOI 7	8-4 & Lot 7									\$2,108.00	
6/18/2018 Door a Line Indental Charlode, ROW Tract B-6 & Lot 5	8-6 & Lot 5									\$8,105.00	
6/17/2016 Houghly Trust Charolis School ROW Tract A-9										\$1,742.00	
6/17/2016 Jones & Trees, CARTON, HOW Tract A-12										\$3,022.00	
6/16/2016 Breat & Land March 2001 CK#1049, ROW Tract B-26	28									\$7,868.00	
6/16/2016 Richard Last Name County County Box B-23										\$4,790.00	
6/16/2018 Steven 1 Memiscal Control										\$9,045.00	
6/16/2016 Norman & Inde Manusco Control A-8										\$1,047.00	
6/16/2016 Thomas & Conta Public Operators, ROW Tract A-7	A-7									\$3,276.00	
6/16/2016 Jerry R. Presiev. Cicatoda, Row Trust D.4	7									86,176.00	
6/16/2016 Register of Deeds, Cicatora Recording of Deeds										\$2,013.00	
6/16/2016 Robert Reid, Jr. CK#1067, ROW Trans A.										\$5,797.00	
6/18/2016 Eugene & Beverly Seving, CK#1069, ROW Tract A. 13	.13									239600	
6/16/2016 Starwn & Sheth Stevens, CK#1059, ROW Tract A.	1									07,747.00	
W10/2016 Lets M. Thomas, CK#1080, ROW Tract 8-7										6104700	
AVECTOR LOS M. Thomas, CK#1080, ROW Tract B-8										8507600	
MURCOSE LONG M. Thomas, CK41080, ROW Tract B-9										\$2 100 00	
BY27201R BLD SHOWN CKR1081, ROW B-10										\$2,360.00	
Z7/2018 Foreign Engineering Controls										\$3,925.00	
8/27/2016 Stave Hancock Countries Consulting											\$16,949.04
6/27/2016 Richard A. Hopper, CK#1086, RCM										\$3,412.00	\$1,000.00
27/2016 Males Properties LLC, CK#1066, ROW										\$3,267.00	
6/27/2018 Michael L. Metzger, CK#1067, ROW										83,519,00	
BATTACA B ROBERT M. & Harry Meyer, CK#1068, ROW		-								\$4.371.00	
COTTON IN THE PARTIE MOONE, CK#1069, ROW										\$15.293.00	
6/27/2016 Heather Polinic Council: Bosse				-						\$3,966.00	
6/27/2018 Patrick Smith Ciettory Bown										84,044.00	
6/27/2016 Philip & Charlene White Control Down										\$1,707.00	
6/27/2016 Roger A. Wishs, CK#1074, ROW	-									\$2,422.00	
6/27/2016 Charles R. & Pansy Wilderson, CK#1075, ROW										84,447.00	
8/27/2018 James E. Williams, CKW1076, ROW									İ	\$8,285.00	
ACCOUNTS Valoridge Property (Appraisate) CK#1077										\$13 A/a m	
7772048 Duese Co. CK#1078, Prof. Services										\$36.180.00	
7/7/2018 Thomas M. B. C. CARTONS, ROW											
7/7/2016 Chad M. Janacotto Change, Docum										\$230.00	
7/7/2018 Evehn F. Kennie Trust Cylesona Posts										\$4,913.00	
7/7/2018 Glenn A. Leintz, CK#10R3 BOW										\$5,900.00	
7/7/2016 John Michael Staugher, CKR1084 ROW										\$25,187.00	
13										\$21,790.00	
7/7/2018 Connie L. Glomi, CK#1087, ROW										\$2,706.00	
7714/2016 Gary & Cindy Meyer, CK#1089, ROW									200	314,048,00	
77447048 Eura Minkin & Joan McKee, CK#1088 & 1090										81 870 M	
7/4/2014 Blace Baylor Lutheren Church, CK# 1091, ROW										\$2,300,00	
7/14/2018 Afficia Com Door S.										\$1,862.00	
14/III St. CK#1086				-						\$3,862.00	
										\$38.540.42	

	Other	BOND	PROCEEDS,	SALES TAX REVENUE	NTEREST REVENUE	Legal Services (200)	Coat of leave	Trans Out for	Miscel.	147TH Street	Maintyre Road Epmenses (201-
1/21/2016 BHC Rhodes, Project Menager, CK#1092					1000	(000)	EN CHOCO (401)	P & Payments	Expenses	EXPENSES (201-303)	303)
7/21/2016 Charles L. Brauer, ROW, CK#1083											\$21,392.86
7/21/2016 Devid Breuer Trust, OK#1094										\$4,427.00	
7/21/2016 Forskind Engineering, Consulting, CKW1095										\$2,157.00	
7/21/2016 James B. Lucus, ROW, CK#1096										\$2,600.00	\$1,100.00
7/21/2016 Keith E Northeran, ROW, CK#1097										\$13,660.00	
7/21/2018 Jeanna M. Lucas, ROW, CK#1098										\$4,795.00	
7/21/2018 Register of Deeds, CK#1088. Recording of Deeds										\$4,795.00	
								0.0		\$2,815.00	
7/21/2016 Witton & Co. Professional Sarvices CKet 101										\$9,000.00	
							200				
8/5/2016 Bart & Melitan Bushler ROW Court Do							200	\$128,073.78			
8/5/2018 Cal-Ano Farma ROW CKesson				į						\$6.258.00	
8/5/2016 Terry & Karen Grammer BOW Creekson										\$9.786.00	
							2			\$9.471.00	
8/5/2016 Wester Francy Inc. Bow Courses							1000			27 004 00	
8/11/2016 Affinis Corn. Services the: 7/20 Cuteston										\$8.424.00	
8/11/2016 BHC Rhodes, Project Manager, CKM11/A										\$32,218.12	
8/11/2016 Register of Deeds, Recordings, Cicettina	-										\$48.412.41
8/11/2016 Wilson & Co. Professional Services. Cice1110										\$1,415.00	
8/25/2016 Forsund Engineering, CK#1111, Consulting											
8/25/2016 Velbridge Property (Appraisate) (2001112)			1							\$1,100.00	\$3,300.00
8/8/2016 Affile Corp. Add Services, CX41113										\$37.960.00	
8/8/2016 Affinia Corp. Prof Services, CK# 1113									10000	\$688.20	
9/8/2016 Wilson & Co., Prof Services, CK#1114										\$32,218.12	
2016 BHC Rhodes, Staking CK#1115											
SYZMANIE BITC Kinodes, Project Mar. Consult, CK#1115											87,179.50
9/28/2016 The Later Times Condemonitor Nation Courses										61 200 M	42 600 000
9/29/2018 Register of Deads. Aug. Recordings. Citer 118										\$408.10	200000
S/1/2016 Interest Earned, Jen - August										\$367.00	
10/3/2016 Interset Earned					36,216.87						
10/6/2018 Affinis Corp. 147th 8t. Design CK#1119					9680.61	1					
100/2018 Amin Corp. 147th Prof. Beryone Cicering										8200.00	
10/8/2016 Westland Const. Etanhouse Ch #1121										\$16.300 m	
10/8/2016 Zimmerman Farm, 147th, ROW CK#1122										200	
10/13/2016 Robert Arwine, ROW, Mointyne, CK#1123										\$20,000.00	
016 Noten Beatly, ROW, Mointye, CK#1124											\$4,063.00
10/13/2016 BHC Khodes, Eng/Burvey, McIntyre, CK#1125											\$819.00
10/13/2016 Cashman Land & Day, Dollar A.											\$28,384,28
10/13/2016 Bill Patton, ROW Mointys, Court 27											60,138.00
10/13/2016 Lori Price, ROW, McIntyre, CK#1128											\$6.267.00
10/13/2016 Reg. Of Deeds, Recordings, 147th, CK6#1/29											\$807.00
10/24/2016 Forslund Engineering, McIntyre, Cite*1130					200					\$381.00	
1024/2016 Forsland Engineering, Eisenhower, CKW1130					1						\$3,100.00
U.Cerzone Foreign Engineering, 147th St., Crest 130						1					
10/20/2018 Maring Investigat, LLC, ROW, CKR131										\$1,000.00	
1020/2018 Midned Shinkey DOW, Chell 132											\$13,108.00
10/31/2016 Wilson & Co. Prof Services, CK45124											815 347 00
10/31/2016 Wilson & Co. Prof Services, CK#1134											20.000
11/3/2016 Cashman Land & Dev. Trees, McIntyre CK#1135							The second secon				
The same of the sa											

1/1/1/2016 Marie Cont. 1470 & 2. Cont. 10.0	PROCEEDS,	•	5	Cost of Issue-	Trans Out for	Misosi.	147TH Street	Mointyre Road Epxenses (201-
1/1/1/2019 BinC Rodes Pop Mig Calist BinC Rodes Pop Mig Calist BinC Rodes Pop Mig Calist BinC Rodes Pop Mig Calist BinC Rodes Pob Mig Calist BinC Rodes Pob Mig Calist BinC Rodes Pob Mig Calist BinC Rodes Pop Mig Calist BinC Rodes BinC Rode		REVENUE	Bervices (230)	EXPENSES (401)	P& Payments	Expenses	EXPENSES (201-303)	303)
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17/10/2016 Burke Domeink, Rowley Cold 158 17/10/2016 Burke Domeink, Rowl, Cold 158 17/10/2016 Burke Domeink, Rowl, Cold 159 17/10/2016 Burke Domeink, Rowl, Cold 150 17/20/2016 Burke Borea, Rowlea, Cold 150 17/20/2016 Burke Borea, Rowlea, Cold 150 17/20/2016 Burke Borea, Rowlea, Cold 150 17/20/2016 Burke Borea, Cold 150 17/20/2016 Burke Borea, Rowlea, Cold 150 17/20/2016 Burke Borea, Rowlea, Rowlea, Row	The state of the s	2002						\$23.658.70
1/1/2016 Currol Marther Dennick, ROW, Cott 140 1/202016 Method Dennick, ROW, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, ROW, Cott 172 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Method Environ, Cott 140 1/202017 Meth								W 3638
1002016 Marke Dornick, ROW, CHI 140 7020016 Marke Dornick, ROW, CHI 140 7020016 Agua Garboual, ROW, CHI 141 7020016 Agua Garboual, ROW, CHI 140 7020016 Marked Dornick, ROW, CHI 140 7020016 Featurin Engine enfoy, Chi 141 7020016 Marked Dornick, Row, CHI 140 7020018 Marked Dornick, Row, CHI 140 7020018 Marked Dornick, Row, CHI 140 7020018 Marked Dornick, Row, CHI 140 7020018 Marked Dornick, Row, CHI 140 7020018 Marked Dornick, Row, CHI 140 7020018 Marked Chi 140 7020018 Marked Chi 140 7020018 Marked Chi 140 7020018 Marked Chi 140 7020018 Marked Chi 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020018 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 7020019 Lesvernech Trans. CHI 140 70						-		20000
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202016 Agus Berroen, Paggagyider, Cost 142 202018 Meland Berroen, Paggagyider, Cost 142 202018 Meland Berroen, Paggagyider, Cost 143 202018 Meland Berroen, Paggagyider, Cost 144 202018 Meland Berroen, Paggagyider, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Meland Berroen, Cost 144 202018 Leseverneoff Trans, Cost 144 202019 Leseverneoff Trans, Cost 144 202019 Leseverneoff Trans, Cost 144 202019 Leseverneoff Trans, Cost 144 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 146 202019 Leseverneoff Trans, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019 Meland Berroen, Meland Berroen, Cost 147 202019						Talenda II		\$21.00
222018 When a per recent - Use 1 42 222018 When a bear recent - Use 1 42 222018 When a bear recent - Use 1 42 222018 When a bear recent - Use 1 42 222018 When a bear recent - Use 1 42 222019 When a bear recent - Use 1			100					\$8,386.00
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1965/000 1965/000	DATE DESCRIPTION	Other	PROCEEDS	PROCEEDS, TEMP NOTE	SALES TAX REVENUE	REVENUE	Legal Services (230)	Cost of lesue- EXPENSES (401)	Trans Out for P & I Payments	Miscel. Expenses	147TH Street EXPENSES (201-303)	Epmenses (201- 303)
162 162	VOIDED CHECK										(\$5,988.00)	
1862 1874 1864 1874	2017 Charles D. Engelhardt, ROW, CK#1179											\$5,580.00
142 142	2017 Gilmore & Bell, Legal Services, CK#1180						\$46,500.00					
1000000000000000000000000000000000000	2017 Kansas Register, Notice of Bond, CK#1181							\$147.00				
1,100 1,10	2017 Register of Deeds, Recording Fees, CK#1182											\$338.00
1 1 1 1 1 1 1 1 1 1	2/22/2017 Devid VanParys, Legal Services, CK#1183						\$5,384.62					
10 10 10 10 10 10 10 10	2/22/2017 Patrick Melvin, ROW, CK#1184											\$3,301.00
1	2017 Wilson & Co. Prof Services, CK#1185											
March Marc	2017 Interest Earned, Jenuary					\$138.21						
Act Color	2017 Interest Earned, Bond Account					\$8,678.62						
A SECOND A SECOND	1017 Trans to B&I #304 for Interset Payment								\$128,073.76			
SEAM OF CONTROL SEAM OF CONTROL FERSIAL OF CO	2017 BHC Rhodes, CKM1186											\$2,289.27
State Stat	017 Affols Corp. Services, CK#1167										\$2,845.00	
A Control Line RASSMER RASSMER A Control Line RASSMER RASSMER A Control Line RASSMER RASSMER A Device Control RASSMER RASSMER A Device Control RASSMER RASSMER A Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER Device Control RASSMER RASSMER RASSMER RASSMER	1017 Affinis Corp. Sarvines CK#1187										\$13,912.37	
Secondary Control Seco	2017 BHC Rhodes, Prol. Mar. CK#1168											\$1,919.50
Logic Section Control	017 Recister of Deeds, Recordings, CK#1189											\$618.00
Appet Appe	2017 David VanParys, Legal Services, CK#1190						\$5,384.62					
Secret Order 1922 Secr	2017 David VanPervs, Legal Services, CK#1191						\$5,384.62					
Control Cont	2017 Wilson & Co. Prof. Services, CK#1192											
wage Order Code/193 \$500.25 Condendation Notes (1941) \$500.25 Condendation Notes (1941) \$500.25 Condendation Notes (1941) \$500.25 Series (2014) \$500.00 Series (2014)	2017 William & Co., Prof. Services, CK#1192											
Pack Decided Pack	2017 BHC Rhodes Chance Order CK#1193											\$12,177.50
Condementation Notice (1982) Sept. 25	2017 Charles Sobert Highes Thates ROW Con 1924											\$9,486.00
Controlled \$172.04) \$120.00 \$200.25 \$200.00 Same 2015, Colleting \$200.00	2017 The Law Times Condemnston Motive Cities	¥0									\$202.28	
Entire Zone Entire Zone Establish	Oct Chad Schints BOW CK#108											\$5.852.00
Times Association, Clearing \$872,281.08 \$872,281.08 \$872,281.08 \$872,281.08 \$872,281.08 \$872,281.08 \$872,281.09 \$872,281.08	2017 Ks. Ally General Series 2015 CK#1197							\$120.00				
Control of the Cont										\$269.26		
SECOND S	and the same											
\$902.16 \$90.304.02 \$90.304.0	017 Sales Tax for March				\$272.281.08							
### Control of the Co	017 Interest Earned for Feb.					\$562.15						
Publication, Cidential	017 Ks. Afty Can. Resistation Fee Cittation							\$75.00				
4 Septiment Control of Services Control of	017 The Law. Times Publication. CK#1201							\$67.70				
\$5,504.02 \$5,5	017 David VanParys, Legal Services, Croff 202						\$6,384.82					
\$50,00	017 Wilson & Co., Prof Services, Crist 203											
Ligat Banksac CMT204 Sec Sec Sec Sec Sec Sec Sec Sec Sec Sec	017 Charles & Julie Fouts, Trust, Tree, CK#1204										\$300.00	
Secretary College Secr	1017 David VanParys, Legal Services, CK#1205						\$5,384.62					
## Secretary Control C	2017 Alfins Corp. Prof Services, CK#1206										\$5,125.61	
4(472), CHETZOB \$6,294.62 \$17,000.00	2017 Dennis C. Nichols, CK#1207, Maple Tree										\$750.00	
### Section black settlement, CH61209 ### Section black settlement, CH	1017 David VanParys, (4/12), CK#1208						\$5,384.62					
4478-547 CHRIZTO SS.354-62 SS.354-6	1017 Security Bank, Falcon lakes settlement, CK#128										\$17,000.00	
## Recording Fees CKH1211 ## Recording Fees CKH12111 ## Recording Fees CKH12111 ## Recording Fees CKH121111 ## Recording Fees CKH1211111 ## Recording Fees CKH121111111 ## Recording Fees CKH1211111111111111111111111111111111111	017 David VanParys, (4/26-6/9), CK#1210						\$6,384.62					
(\$110-\$22), CHR1212 \$84.384 62 \$86.384 62 \$8	2017 Register of Deeds, Recording Fees, CK#1211											\$198.00
Without on to Circle 14 \$55,564,02 \$66,678,79 (SAZ-68), CONT214 \$5,594,02 \$5 (SAZ-68), CONT216 \$5 No. Control 24 \$5 ROW, CONT216 \$5 ROW, CONT216 \$5 Contribution for Ind, Part, CM41218 \$5 And individual for Ind, Part, CM41218 \$5	017 Devid VenPerys, (5/10-6/23), CK#1212						\$5,384.62					
\$5,294.62 \$5,2	1017 City of Leev. Contribution to City of LV, CK#121	3								\$665,676.79		
### Spiritification for lack Chestrate ### Spiritificatio	2017 David VanPerys (5/24-6/8), CK#1214						\$5,384.62					
ACM, CK41216 \$5,000,000.00 Contribution for Ind. Park, CK41216 \$51,428.45 In International Contribution for Ind. Park, CK41216 \$1,696.54	2017 BHC Rhodes, Change Order, CK#1215	The second second second										\$16,915.00
NOW, Clear 217 Contribution for Ind. Park, Clear 218 \$55,000,000, 00 An indication for Ind. Park, Clear 218 \$511,428.45 \$1,669.54	2017 Edward Lauterbach, ROW, CK#1216				300							\$6,700.00
Contribution for Ind. Park, Crist1218 \$311,428.45 \$1,996.54 \$1,996.54	2017 Kenneth Lynch, ROW, CK#1217											\$8,688.00
831,428.45 h		£1218								\$5,000,000.00		
	2017 Sales Tex for April		-		\$311,428.45							
	2017 Interest for March					\$1,696.54						

100 100	1860 1860	DESCRIPTION	Acct. No. 732 Other REVENUE	Acct. No. 731 BOND PROCEEDS	PROCEEDS, TEMP MOTE	SALES TAX	Acct. No. 301 MTEREST	Legel	Cost of Issue-	Trens Out for	Misoel.	147TH Street	Epxenses (201- E
100 100	1920 1920	5/8/2017 Affills Corp. Prof. Services, CK# 1219				NEVENE	MEYENDE	Denvices (230)	EXPENSES (401)	P & I Payments	Expenses	EXPENSES (201-303)	303)
SECOND S	1512 1512	mos Energy Corp. Utility Relocation CK#1220										41,404.40	
2.5. SECTION S	20.00000000000000000000000000000000000	e Leev. Times. Publication. Sealed Bids. CK#1	2									178,696.73	
2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	86	wend R. Lindbled, ROW, CK#1222										\$132.50	
200	SECOND S	bert Nye, ROW, CK#1223											38,362.00
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	bridge Prop. Appraisals, CK#1224											00.000.00
Secretor Secretor	851 (1922-0) 851 (1922-0) 851 (1923-0) 851 (CKe#1225 thru 1230 VOIDED											91,100.W
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2.2 EST-LAR2-10 ES	ses Atty General, Review, CK#1231							e404.00				
26. 25.167.108	\$5.000.000.000.000.000.000.000.000.000.0	Steel & Storage, ROW, CK#1232				100000000000000000000000000000000000000			9100.00		000000000000000000000000000000000000000		00 000 00
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	on & Co., Prof Services, CK#1233											20,382,00
Section Sect	2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.	Rhodes, Proj. Mgr., CK#1234											
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Section	ster of Deeds, Recording Fees Cick1235											\$18,086.50
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	\$ 5514,992.40 \$ 1243 249 249 249 249 240 240 240 240	asi Earnad					40,000						8322.00
Second S	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	b M Gillen, CK#1236					81,874,UB						
\$ 5.514,92.40	26. 12. 12. 12. 12. 12. 12. 12. 12. 12. 12	& Lise Norberg, CK#1237											87,518.00
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Tax for May				A2 44 300 40							\$1,023.00
246 246 246 246 247 247 247 247 248 248 248 248 248 248 248 248 248 248	2-49 2-49 2-49 2-49 2-49 2-49 2-49 2-49	# Corp. Prof Services, CK#1238				4014,082.40							
24 25 25 25 25 25 25 25	2-8-124-124-127-124-124-124-124-124-124-124-124-124-124	eth & Peggy Bush, ROW, CK#1239										\$4,786.76	90 000
246 250 250 250 250 250 250 250 250 250 250	2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00	sel Holleron, ROW, CK#1240											20,543,00
2-36 2-36 2-36 2-36 2-36 2-36 2-36 2-36	1983 1984	on & Co. Prof. Services, CK#1241											D. 194.44
245 252	243 244 25 243 244 25 243 244 25 243 244 25 243 244 25 243 244 25 243	eav. Times. Mointyne Notice, CK#1242											37 0070
\$50,294.02 \$12,096.02 \$12,096.02 \$12,096.02 \$12,096.03 \$12,09	266	of Deeds, Recordings, Mointyne CK#1243											200000
\$43,944.02 \$43,94	\$5.204.02 \$5.304.02	Rhodes, Redesign, CK#1244				2000							230.00
\$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.02 \$4.304.03	\$13,344.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.02 \$13,346.03	Rhodes, Redesign, CK#1244									-		20.0156
\$13,344.02 \$13,340.06 \$2,177.31 \$13,340.00 \$2,177.3	\$45,304.02 \$15,304.02 \$15,304.02 \$15,304.02 \$1,100.34 \$1,100.	bildated Rural Water #1, ROW, CK#1245											933,214.47
\$5.354.62 \$1.354.62	\$53,5346.02 \$53,544.02	Spe Prop. Appraisate, CK#1246											10,202.00
\$5.00.00	\$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.02 \$5.554.03	Van Parys, Legal Services CK#1247						64 304 82					9.00%
\$53,544.02 \$53,540.02 \$51,540.02 \$51,540.02 \$51,540.02 \$51,540.02 \$51,540.03	\$53,54.02 \$53,04.02 \$217.73 \$1,000.34 \$1,000.3	Knetter, ROW, CK#1248						90,004.00		-			00 444 00
\$5.554.02 \$5.554	\$53,546.02	Wiehe, ROD, CK#1249											98/450.00
\$5.354.02	\$13.546.02 \$13.546.02 \$2.177.31 \$12.447.51 \$13.546.02 \$2.147.51 \$13.546.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.02 \$2.346.03 \$	Energy Corp. CK#1250										200 1000	943,140.W
\$53,546.02	\$513,390.56 \$2177.31 \$177,400.72) \$177,400.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72) \$177,600.72] \$177,600.7	ge Prop. Advisors, CiG#1251										12.462,1024	000 000 000
\$7.7.3.1 \$7.7.4	\$2.17.31 (\$176.000.73) \$1.2447.91	Van Parys, Legal Services CK#1252						ER 304 A7					942)000.U0
\$2,177.31 (\$176,000.73) 57. \$2,304.02 (\$15,405.30 (\$1	\$13,390.00 \$2,17.31 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,447.91 \$12,449.30 \$12,449.30 \$12,447.91 \$1	O. Wishe, ROW, CK#1283						**********			-		\$13.201.00
5515.399.59 57. 247.91 57. 247.91 57. 247.91 58. 384.02 58. 3	57 57 58 160034 58 304 62 58	Exp. From Atmos, error on billing										(\$178 BOR 72)	
\$7.77.31 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34 \$1.050.34	\$2.17.53 \$1.500.34 \$1.500.34 \$1.500.34 \$1.500.34 \$1.500.30 \$	Tax for June				\$313,389.56							
\$5.77 \$5.504.02 \$5.5	57. 57. 57. 57. 57. 57. 56.354.02 56.354.02 56.354.02 56.354.02 56.354.02 56.354.02 56.354.02 56.354.02 57. 58. 58. 58. 58. 58. 58. 58. 58	ramed					\$2,177.31						
57. \$5.384.02 \$5.384.02 \$9.500.34 \$5.384.02 \$9.500.34 \$5.384.02 \$9.500.34 \$5.384.02 \$9.500.38 \$9	577 5594 62 55394 62	Corp. Prof Services, CK#1254										\$12,447.91	
57) St. 584.62 S	577 55.06.00 51.06.00	MODES, Proj. Mgr. CHON1256											\$12,573.50
\$5,304.02 \$5,304	\$5,384.02 \$5,384.02 \$6,384.62 \$4,380.39 \$2,786.39	ricoes, Chenge Order, Cres 1255											\$44,902.50
\$5,304.02 \$1,600.34 \$6,304.02 \$6,304.02 \$1,000.39 \$2,700.39	8516406.30 \$1,660.34 \$5,394.62 \$5,394.62 \$5,394.62 \$5,394.62 \$5,394.62 \$5,394.63 \$5,39	TV. IIIIse, Notes, CANTAGE	-										\$137.70
\$5,584.02 \$5,584.02 \$6,384.02 \$6,384.02 \$6,384.02 \$6,384.02 \$6,384.02 \$6,384.02 \$6,384.02 \$6,384.02	\$1,660.34 \$5,394.02 \$1,660.34 \$5,394.02 \$5,394.02 \$5,394.02 \$5,394.02 \$5,394.02 \$5,394.02 \$5,394.03 \$5,394	An Decre con County County											\$1,036.00
1516405.30 \$1660.34 \$19,445.30 \$19,6405.30 \$6,384.62 \$6,	\$160.34 60 60 61 61 61 61 61 61 61 61 61 61 61 61 61	Carried County C						\$5,384.62					
151 A 485.30	Mail 1289 55 194.485.30 55 394.62 55 394.62 55 394.62 55 394.62 55 394.62 55 394.62 55 395.38 55 395.65 59 395.38 55 395.65 59	Tax five hills	-				\$1,660.34						
44.380.38 54.380.380.38 54.380.38 54.380.38 54.380.38 54.380.38 54.380.38 54.380.380.38 54.380.38 54.380.38 54.380.38 54.380.38 54.380.38 54.380.3	60 60 60 60 60 60 60 60 60 60 60 60 60 6	Van Perse Sections Courses				\$316,486.30							
000 Dom CK41242 1284	54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,38 54,385,385,385,385,385,385,385,385,385,385	A Co Dad Services Courses		-				\$6,384.62					
54,380,38 S. S. S. S. S. S. S. S. S. S. S. S. S.	94,389.38 SS SS SS SS SS SS SS SS SS SS SS SS SS	Security Services, Charles		***************************************									
1224 1224 1224	55, 158-59 158-4	COP. PICE SENDER, CAPTIZE		-								\$4,383.38	
1284	12769.59	the District Court, Entirent Don CKH1262											\$28,524.00
7207	134	ACADES, Proj Mgr., CKA1263										\$2,788.39	
		ge Prop, Acq. Services, CK#1284											\$475.00

COUNTY WIDE SALES TAX - FUND NO. 171 - CAPITAL ROAD PROJECTS

DATE DESCRIPTION	Other	Most. No. 731 BOND PROCFEDA	Acct. No. 732 PROCEEDS,	Acet. No. 201 SALES TAX	Acct. No. 301	3					
6/21/2017 David Van Panys, Legal Services CK#1288		2	CHI NO IE	REVENUE	REVENUE	Services (230)	EXPENSES 1404	Trans Out for	Miscel.	147TH Street	_
6/1/2017 Interset Earned						26 384 85		a Layments	Expenses	EXPENSES (201-303)	-100
8/31/2017 Sales Tax for August					\$1.967.60						+-
8/2/2017 Trains to B&I #304 for Interest Print Series 2014.				\$315,992,54							
8/2/2017 Trans to B&i #304 for Interest Prot. Sectes 20168											
8/2/2017 Trans to B&I #304 for Internet Prot Sectes 20164								\$126,073.76			
9772017 MHS, Pre Construction, CK#1287								\$66,002.95			
9/8/2017 David Van Pane, Lecal Sawbee Cristone								\$207,067.71			
8/14/2017 BHC Rhodes. Prol Mer. CK41246											
9/14/2017 The Leev. Times, Motors Sealed But County						\$6,364.62				81,187,50	
9/14/2017 David Van Pace Lanel Section Control											
8/18/2017 John W. Evens C.											\$7,912.24
DARROWY O EVAIR CONDERN OF Prop. CK#1272						\$5,384.62					\$65.70
SALES OF GUILD Appropriate LLC, Condemn CK#1273			-								
W 10/2017 Karn Appraised LLC, Condemn CK#1274					Section 1						61 500 00
9/21/2017 Consolidated Weter Dist. Relocation, CK#1275											00.000
9/29/2017 Sales Tax for September		-				1					00.000
9/1/2017 Bond Interset				\$323,690.13							\$1,500.00
From Dietrict Court, returned funds not need on					S1 902 84					1	
W12/2017 condemnation						1		0.000			
105/2017 Valbridge Prop. Appraisals, CK#1278											
10/6/2017 David Van Parys, Legal Services Cicerozz											
105/2017 Wilson & Co., Prof Sanicas, CK81278											(\$524.00)
10/10/2017 BHC Rhodes Prof Mor Courson						30,384.62					
10/10/2017 Edward & Reth. Schombart, Done											
10/10/2017 Devit Verb					1						
100770019 Court very Company Company									1		\$6,583.10
Control Companied Water Dist. Relocation, CK#1282						\$5,384.62					
1000 part 2											
CONTROL OF Y DOMINE, ESSEMENTS & ROW CK#1254										\$83,715.08	
WOULDN'T Brett Hannigabn, Estements & ROW CK#1285											
10/30/2017 Mary Hurte, Essements & ROW CIC#1286											
10/30/2017 Robert Hurle, Essements & ROW CK#1287											
10/30/2017 JMK Partners LLC, Essements CK#1288						-					
10/30/2017 David & Bandra Metthews, Easement CK#1289					-						
10/30/2017 Taylor Trust, Essement Cicet 200					-	-					
10/30/2017 Christina Thompson, Essement CK#1291						-				-	
10/30/2017 Devid Van Parys, CK#1292					-	-					
10/4/2017 MIP Interest						55.384.02					
10/31/2017 Sales Tax for October					\$2,183.17						
10/2/2017 Bond Interest				8316,248.35	-						
179/2017 BHC Rhodes, Engineering/Survey CK#1283					\$1,759.73	-					
11/8/2017 Larkin Homes, Inc. Essement and ROW CK#1294						-					
11/6/2017 Todd M. Lozeneki, Exsement and ROW CK#1205											69 540 20
11/9/2017 James M. McQueen, Essement & ROW CK#1296											N. Dec
11/21/2017 Gary D. Harrie, Essement CK#1297											
11/21/2017 Robert E. Harris, Essement CK#1298						-					
11/21/2017 Kenneth E. Long, Easement CK#1289					-	-	-				
11/21/2017 Register of Deeds, Recording Feer, Citatann					-	-					
11/20/2017 Edward A Bristow Essements, CK#1301						-				-	
11/20/2017 Consolidated Weter Dist. 1, Line Relocation CK#1302											
11/1/2017 Interest											X48.00
11/1/2017 Interest					\$1.289.76					\$42 858 BK	
					\$1.645.31	-				Aniana in a	

DESCRIPTION	Acet. No. 732 Other REVENIUE	Acet. No. 731 BOND PROCEEDS	Act. No. 732 PROCEEDS, TEMP NOTE	SALES TAX	Acet. No. 301 INTEREST	lage.	Cost of lesue-	Trans Out for	Misosi.	147TH Birnet	McIntyre Road El
117 Interest Earned					\$11.631.04	1		T & I Payments	Expenses	EXPENSES (201-303)	303)
11/28/2017 Sales Tax for November				\$370 41R OR							
12/1/2018 Interest Earned				0000	64 605 45						
1/2/2018 Interest Earned					6363 48						
12772017 BHC Rhodes, Prol Mar., CK#1303					9000						
12/7/2017 Adrienne Jeanette Kempton, ROW, CK#1304											\$2,635.00
12/7/2017 Wilson & Co, Prof Services, CK#1305											
12/12/2017 Joseyn K. Fevurly, Essement CK#1306											
12/12/2017 Steven J. Sloen, Essement CK#1307											
12/19/2017 Register of Deeds, Recording Fees CK#1308											
12/19/2017 Ben C. Wagner, Exsement CX#1309											
12/28/2017 BHC Rhodes, Proj Mar CK#1310											
12/28/2017 Wilson & Co.Prof services, CK#1311											\$3,939.86
12/29/2017 Sales Tax for December				\$316,917,91							
1/3/2018 Interest Earned					\$1,643,60						
1/12/2018 Consolidated Water District No. 1, CK#1312											
1/12/2018 Henry Wiehe, ROW, CK#1313										\$38,933.29	
1/30/2018 Alined Beneach & Co. Prof Ser. CK#1314											
1/30/2018 Randy Goetz, ROW, CK#1315											\$18,341.06
1/30/2018 Leery. Co Register of Deeds, CK#1318											
1/30/2018 Consolidated Water Dist 1, CK#1317											
1/30/2018 Shaner Appraisats, Inc. CK#1318										\$26,602.61	
1/31/2018 Seles Tex for Jenuary				\$323 129 45				The state of the s			
2/8/2018 Kings's Confruction Co. CK#1319				2000							
2/8/2018 Uneweaver Contraction in. KC#1320										\$29,547.00	
2/8/2018 MHR Pre Construction Court-221						1					\$196,830.00
VONED CHECK #1900										\$6,179.36	
SOUTH CONTRACTOR											
2/4/2018 Palest Management BOW Contact											
2 GOOD COUNTY MANAGEMENT, CONT. CONT. SCH											
2/20/2016 Register of Deeds, Recording Fees, CK#1325	-										
Feb. 2018 10tal Interest Earned					\$28,536.74						
2/28/2018 Sales Tax for February				\$347,708.01							
2/6/2018 Transfer to Ball #304 Principal, Series 2015								\$280,000.00			
2/8/2018 Transfer to B&I #304 Principal, Saries 2016A					Control of the contro			\$150,000.00			
2/6/2016 Transfer to 8&J #304, Principal, Series 2016B								\$445,000.00			
2/8/2018 Transfer to B& #304, Interest, Series 2015								\$126,073.76			
2/8/2018 Transfer to B&I #304, Interest, Series 2016A								\$149,687.50			
2/8/2018 Transfer to 8&J #304, Interest, Series 20168								\$49,158.75			
2/7/2015 Transfer Balance from Fund No. 161 to 171	\$1,300.07										
3/1/2018 Alma Benesch & Co. Prof Ser. CK#1328											\$12.174.25
3/1/2018 Herring Surveying, Survey, CX#1327											
3/1/2018 Kings's Commucation Co. CKIN328										\$25,047.90	
3/7/2018 MHS PreConstruction CK#13/28			-							\$13,651.11	
SATISTICATE WINDON & CO. CINSTRON											
3/1/2018 Total Interest Eemed		-			\$6,092.07						
3/30/2018 Total Interest Earned					\$4,480.64						
				\$309,615.38							
4/3/2018 Alfred Benesch, Prof. Services, CK#1331					2000						642 000 36
4/11/2018 MHS, Project Mgr., CK#1332					20000					10 PCB 109	0.4,004.30
4/18/2018 Affinis Corp. Prof. Services, CK#1333				000000000000000000000000000000000000000						61,020.31	
4/18/2018 KDHE, Permit Fee, CK#1334										61.100,54	
										- mos	

NOTE STATE	Other	BOND	PROCEEDS, TEMP NOTE	SALES TAX REVENUE	REVENUE	Legal Services (230)	Cost of lesue EXPENSES (401)	Trans Out for P & I Payments	Miscel. Expenses	147TH Street EXPENSES (201-303)	Epitanees (201- 1
MA Linewannewer Cort											\$163,869.54
APPROVE Construction Chief 326										\$121222.52	
ALEXAND AND COMMISSION OF THE PARTY OF THE P				6205 842 NO							
TOTAL SERVICE STATE OF THE SER				-						6278 471 22	
SAZUR NIE CONSTRUCTION CO. CHESSI										A	
5/2/2018 Valenda Prop Menagement, Cristical		1								\$288.603.03	
Action to the Tay for Man				\$367 233 66							
SCHOOLS SEED INC. INC. THEY					\$1,210.80						
K12018 Bond inhomet					\$6,353.50						
SZZZZ018 MHS, Project Mor., CK#1340										\$20,310.74	
6/4/2016 Affinis Corp. Prof Services. CX#1341										\$3,661.15	
6/4/2018 Alfred Benesch, Prof. Services, CK#1342	1000										\$14,528.45
6/4/2018 Alfred Benesch, Prof. Services, CK#1342											\$11,800.80
VOIDED, CK#1343											
6/11/2018 King's Construction Co. CK#1344										\$356,648.10	
6/20/2018 BHC Rhodes, Change Order, CK#1345	0.0000000000000000000000000000000000000										\$679.56
6/20/2018 MHS, Proj Managar, CK#1348										\$25,691.47	
6/20/2018 Wilson & Co., Prof Services, CK#1347											
6/25/2018 Lineweaver Const. CK#1348											\$48,214.80
8/25/2018 Linaweaver Const. CK#1348											\$351,228.17
29-Jun-18 Sales Tax for June				\$321,984.36							
6/1/2018 Interest Earned					\$4,957.03						
6/4/2018 Interest Earned					\$642.63						***************************************
7/9/2018 King's Construction, Cl6#1349										\$806,157.73	
7/11/2018 Affinis Corp. CK# 1350										\$6,125.61	
7/11/2018 KDHE, Bureau of Water, CK#1351											\$60.00
7/13/2018 BHC Rhodes, Change Order, CK#1352											\$1,128.80
7/13/2018 Edward Schemback, Jr. CK#1353					-						
7/26/2018 MHB, Construction Phase, CK#1354										\$39,916,63	
7/2/2018 Interest Earned				and the same of th	\$4,357.30						
7/17/2018 MIP Interest				001010100	\$1,046.00						
7/31/2018 Sales Tax for July				3336,124.06			-				
8/6/2018 Afrile Corp. Services, CK#1366										82.180.08	
846/2018 Alfred Beneach & Co. CK#1356								-			23,011.90
8/8/2018 Alfred Beneach & Co. CK#1366	1000									77.07	515,082.75
G/G/2016 Consolidated Water #1, Pot relocation, CAR	CK81397							The second later than the second later	-	10.5	E21 080 M
SOCIAL CANDONNA WEST #1, EMERSING CALLOSS	8										W. B00, W.
AVACOUS Wileys Co. Contain											
8/20/2018 BHC Rhodes Chance Order Cice 1361											\$77.50
8/22/2018 King's Construction, CK#1362										\$806,625.99	
8/22/2018 MHS, CK#1363										\$13,515.00	
8/22/2018 MHS, CK#1383										\$26,800.33	
8/22/2018 Register of Deeds, CK#1364	200 2000 2000 0000 0										
8/2/2018 Interset Eamed					\$4,550.48						
8/27/2018 Evens Reel Est., CK#1365								-			
8/2/2018 MIP Interest					\$13,672.86			0.000			
				\$344,017.30							
8/3/2018 Trans to B&I #304 for Interest, 2015 Series								\$121,873.78			
8/3/2018 Trans to B&I #304 for Interest, 2016A Series								\$147,287.50			
8/3/2018 Trans to B&I #304 for Interest, 20168 Series								\$44,152.50			

MATERIAL	Other DEVENIE	BOND BOOCEENS	PROCEEDS,	SALES TAX	Acct. No. 301 INTEREST	Legel	Cost of leaus-	Trans Out for	Miscal.	147TH Street	McIntyra Road Ei Epxanses (201-
Att Affinis Com Gan	THE STREET	L	100	MEYENGE	MEVENNE	Services (200)	EAT-CHISCO (401)	- 4 I Payments	Expenses	EXPENSES (201-303)	303)
STATE OF THE CAPT OF THE CONTROL OF										\$1,080,15	
WILEUTO NATE CONSTITUTION, CANTOON										\$436,288.41	
W12/2018 Afred Beneach & Co. CX#1368											\$8,445.70
SP12/2018 BHC Rhodes, CK#1389											\$735.11
9/12/2018 MHS, CK#1370						10000				\$28,313.52	
9/27/2016 Sales Tax Revenue for September				\$342,811.58							
9/4/2018 MIP Interest					\$4,674.71	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2					
9/4/2018 Interest Earned					\$3,862.63						
10/3/2018 Linaweaver Construction, CK#1371											\$281,320.04
10/1/2018 Interest Earned			2.00		\$2,733.28					,	
10/2/2018 Interest Earned					\$4,744.41	2000					
10/25/2018 Interest Earned					\$25,783.33	100					
10/31/2018 Sales Tax Revenue for October				\$3.47,063.89							
10/10/2018 BHC Rhodes, CK#1372								-			\$4 4AB AK
10/10/2018 McAfee Henderson Solutions, CK#1373					1000					STR RAD OK	name in
10/17/2018 Affinis Corp. Prof Services, CK#1374										42 864 44	
10/17/2018 Alred Benesch & CO. Prof. Services, CK#1375										2	C44 272 30
10/17/2018 Lingweaver Const. CK#1376					8 000						414/4
10/24/2018 King's Construction, CK#1377										£4 008 200 77	
10/29/2018 Valbridge Prop Advisors, CK# 1378										1.000,000,10	-
105/2018 Journal Entry, Org. Paid out of R&B, LSR.											
118/2018 Wendell D. Taylor, ROW, CX#1379											
11/8/2018 Valbridge Prop.Relocation Serv. CK#1380											
11/15/2018 Afred Senesch, CK#1381											
11/16/2018 BHC Rhodes CK#1380											\$16,773.40
11/16/2018 Kings Construction Cikings											\$156.00
11/14/2018 Consolidated Water at Occident										\$470,268.10	
11 HANDLE Schledel & Assoc Dust Abstences Overses											\$487,104.55
COMPOSE MANAGER STATE TAKE TO SELECT CONTROL CONTROL											
AND ADAM I LEAD THE CONTRACT OF THE PARTY OF											
AND MAN AND AND AND AND AND AND AND AND AND A						-					\$179,008.47
ATTACACT DESIGN ASSESSMENT CORRECT TOWN, CARTOOD					-						
TOTAL STORY					\$2,840.89						
17/20/2016 MIP INTERPRET					\$6,270.08						
CONTROL OF THE PARTY OF THE PAR				9317,043.48							
12042010 SCHAPE & FARGE, DUST ADMITTED CARTISON		****									
CONTROL OF CONTROL OF CONTROL OF CONTROL											\$12,318.20
12/13/2018 Ingresser Controller Controller						1				\$69,818.70	
12/13/2018 Malia Railla Charle Court 2013									-		\$160,976.45
12/13/2018 Wilson & Co. Prof. Services, CK#1394				-					-	00.010.00	
12/31/2018 Sales Tax Revenue for December				\$311,114.48	100000000000000000000000000000000000000						
12/3/2018 Interest Exmed					\$1 680 63	1					
1/4/2019 Wilson & Co., Services, Cl0#1396											
1/4/2019 Afred Beneach & Co. Services, CK#1395											A12 TT9 GA
1/16/2019 King's Construction CK#1397									-	CH 142 CHS	000011010
1/16/2019 Linsweaver Construction, CK#1398			The second second								6101 KOR 1K
1/16/2019 Schlegel & Assoc. CK#1399			Contract								2000
1/3/2019 Interest Earned			STATE OF THE PARTY		\$232.74						
1/9/2019 Nov & Dec. Interest		V 45 CONCORD	20.00		\$13,153.96						
1/18/2019 Interest Earned		5 300000000			\$70,758.34						
1/18/2019 Intarest Earned		2.0000		1000	\$46,500.00		THE PART OF THE PA				
S 2 2 2000 2 22											

1462				SALES A	IN ERES	3	Cost of issue-	200		EVOLUTION OF SACT	1000
1/20/2016 Interest paid on Bond-Acct 1/30/2016 Sales Tax Revenue for January 1/30/2016 Sales Tax Revenue for January 1/20/2016 Sales Tax Reson, Cideri-400 21/2016 Interest Earned 20/2016 Interest Earned 20/2019 Africa Benech, Sanrices, Cideri-401 20/2019 Brit Revolues, Charge Order, Cideri-402 20/2019 William & Co. Print, Sentines, Cideri-403	REVENUE	PROCEEDS	TEMPNOTE	KEVENUE	REVERUE			T & I Taymonta	Experience	EATENSES (AN 1505)	lose
1/37/2016 Selea Tax Revenue for January 1/27/2016 Selea Tax Revenue for January 1/27/2016 Interest Eurod 2/2/2016 Interest Eurod 2/2/2016 Africa Beneach, Services, Cide1401 2/2/2019 BHC Brodes, Charge Order, Cide1402 2/2/2019 BHC Brodes, Charge Order, Cide1403					\$308.42						
1/29/2019 Schapel & Assoc, Cr6414/30 21/2019 Internet Eurod 21/2019 Internet Eurod 21/2019 Mill Patenet 29/2019 Alfred Benesth, Services, Cr6414/01 29/2019 BHC Rhodes, Charge Order, Cr6414/02 29/2019 Wilson & Co. Prof. Services, Cr6414/03				\$333,121.35							
2/1/2019 Interest Earned 2/2/2019 Interest Earned 2/2/2019 Africa Barecth, San/cest, Cl6ff 4/01 2/2/2019 BHC Rhodes, Churge Order, Cl6ff 4/02 2/2/2019 Wilson & Co. Prof. Sen/cest, Cl6ff 4/03											
2/2070 MIP televest 29/2019 Afried Benesch, Sanvices, CK61401 29/2019 Birle Benesch, Sanvices, CK61402 29/2019 Birle Rendes, Charge Order, CK61403 29/2019 Wilson & Co. Prof. Services, CK61403					\$1,108.39						
2/9/2019 Affind Beneach, Sanvices, Cl6f4401 2/9/2019 BHC Rhodes, Change Order, C461402 2/9/2019 Wilson & Ca. Prof. Services, C461403					\$4,483.10						22 200 64
2/8/2019 BHC Rhodes, Change Order, CK#1402 2/8/2019 Wilson & Co. Prof. Services, CK#1403											64 606 02
2/6/2019 Wilson & Co. Prof. Services, CK#1403											\$1,080.04
The state of the s		11									
2/22/2019 KDHE Bureau of Water, CK#1404											e4 228 EA
2/27/2019 BHC Rhodes, CK#1405								000000000			91,220.00
2/5/2019 Transfer to B&I #304 Principal, Series 2015								2590,000,00			
2/5/2019 Transfer to B&I #304 Principal, Series 2018A								\$270,000.00			
2/5/2019 Transfer to B&I #304, Principal, Series 20188								\$560,000.00			
2/5/2019 Transfer to B&I #304, Interest, Series 2015								\$121,873.78			
2/5/2019 Transfer to B&I #304, Interest, Series 2018A								\$147,287.50			
2/5/2019 Transfer to B&I #304, Interest, Series 2016B								\$44,152.50			
2/28/2019 Sales Tax Revenue for February				\$335,163.82							
3/8/2019 Affred Benesch & Co. CK#1408											\$2,727.50
3/8/2019 Schapel & Assoc. CK#1407											
3/8/2019 Wilson & Co., Services, CK#1408											
3/1/2019 Interest					\$232.74						
3/29/2019 Sales Tax Revenue for Merch				\$288,179.43							
3/27/2019 Alfred Senesch, CK#1409											\$2,072.35
3/27/2019 BHC Rhodes, Change Order, CK#1410											\$897.50
4/1/2019 Interest Earned					\$3,288.67						
4/3/2019 Feb & March Interest					\$2,760.88						
4/3/2019 Feb & Merch Interest					\$680.76						
4/30/2019 Sales Tax Revenue for April				\$282,571.25							
4/4/2019 Schlagel & Assoc. Dust Absternent CK#1411						-					
4/4/2019 Wilson & Co., CK#1412											
4/24/2019 BHC Rhodes, Chg Order, CK#1413							-				2042.00
5/2/2019 Afred Benesch & Co., CK#1414											00.507,016
5/2/2019 Wilson & Co. CK#1415				and the second							
5/10/2019 Kansas Gas Service, CK#1418											10 100 0100
5/10/2019 Lineweaver Const. CK#1417											624000
5/21/2019 BHC Rhodes, CK#1418											200
5/31/2019 Sales Tax Revenue for May				3336,917.20	40 040 04						
S/1/2019 Interest					or polos						\$18 727 20
SYSTEM AIRED DEFENDING CO., CAPITALIS											
SCOROLIS DI DON DEFENDIS, ESSENTINI, CAPITAZI											
AUTOCIO Schioni & Assoc Cital 422											
A/12/2019 Kinds Construction, CK#1423										\$213,309.33	
8/12/2019 Schlopel & Acado CK#1424											
Voided Check, CK#1425	7 2000										
Volded Check, Oxer1428											
6/18/2019 BHC Rhodes, CK#1427											\$155.00
8/18/2019 Schlegel & Assoc. CK#1428											
8/21/2019 Alfred Benesch & Co. CK#1429											\$9,603.28
8/11/2019 Interest Earned April & May					\$659.70						
8/11/2019 Internet Earned April & May					\$682.93						

DATE DESCRIPTION	Other REVENUE	BOND PROCEEDS	Acet. No. 732 PROCEEDS, TEMP NOTE	Act No. 201 BALES TAX REVENUE	NTEREST REVENUE	Services (230)	Cost of Issue EXPENSES (401)	Trans Out for	Miscel.	147TH Street EXPENSES (201-303)	Epixenses (201-
6/3/2019 Interest Earned					\$3,997.98						
6/28/2019 Sales Tax Revenue for June				\$302,236.81							
7/2/2019 Wilson & Co. Prof Services. CK#1430	A STATE OF THE PERSON SERVICES										
7/15/2019 Affinis Corp. Prof Services. CK#1431										644.044.00	
7/12/2016 Volded shart dieder (ald (10) Cohlege										9.404.00	
7/15/2019 Schladel & Assoc, replaced but ok. CK#1432											
7/17/2019 KDHE-Bureau of Water. Permit. CKd:1434											Canno
7/17/2019 BHC Rhodes, Change Order, CK#1433											\$340.00
7/12/2019 Voided CK#1412 (44/19) Wilson											2002
7/12/2019 Wilson & Co., CK#1435											
7/23/2019 Afred Benesch & Co., CK#1438											618 490 83
7/25/2019 Wilson & Co., CK#1437											20'404'016
7/1/2019 Interest Earned					83 507 91						
7/31/2019 Sales Tax Revenue for July				\$340,229.28							
8/9/2019 Lineweaver Construction, CK#1438								200			TO BEG SACE
8/12/2019 Affinis Corp., CK#1438								2 222		CHARALAN	o na na na na na na na na na na na na na
6/20/2019 Alfred Beneach & Co. CK#1440										OC. PROPERTY	\$47 DAR 65
8/20/2018 LEXECO, Dust Absternent Group 1, CIG81441											2000
8/20/2019 Schlagel & Assoc. Group 1-3, CK#1442											
8/20/2019 Wilson & Co., CK# 1443									-		
8/1/2019 July Interest Earned					\$4.346.86						
8/30/2019 Sales Tax Revenue for August				\$329,801.35							
8/13/2019 Trans to B&I #304 for Interest, 2015 Series								\$117,523.78			
8/13/2019 Trans to B&I #304 for Interest, 2016A Series								\$143.237.50			
8/13/2019 Trens to B&I #304 for Interest, 2016B Series								\$37,627.50			
9/9/2019 BHC Rhodes, CK#1444											\$1,442.74
9/9/2019 Schlegel & Assoc. PRP Projects CK#1446											
9/3/2019 Investment Interest				100000000000000000000000000000000000000	\$4,112.44						
9/1/2019 MIP Interest					\$36,586.67						
9/30/2019 Sales Tax Revenue for September				\$359,767.34	2000	100000000000000000000000000000000000000	200				
9/18/2019 Afred Benesch & Co., CK#1448				0000 E1000		1 1 27					\$13,358.43
9/16/2019 Kansas Ges Service, CK#1447				50000	5 00000						
9/18/2019 Lineweaver Construction, CK#1448				2002 10	0 m 10 m 10 m 10 m 10 m 10 m 10 m 10 m		-		2000		\$331,410.38
9/18/2019 Schlagal & Assoc. (PRP) CK#1449				20000000	100.000.000						
CK#1450, Voided				2000	1 1 1 1 1 1 1						
CK#1451, Voided					000000000000000000000000000000000000000						
9/25/2019 Olsson, PRP, CX#1452				10000000							
9/26/2019 Wilson & Co., CK#1463											
9/20/2019 From State of Kansas, Matching Funds	\$328,286.29										
8/30/2019 Interest Earned				100000	\$3,572.32						
O/14/2019 BHC Rhodes, CK#1464				100000							\$170.00
10/14/2019 Linaveaver Construction, CK#1456	CHEST CHESTON	20000	0 00000		0.000						\$470,551.88
10/14/2019 Schiegel & Assoc. CK#1456			200000								
10/16/2019 Lexeco, Dust Abetement Group 1 CK#1457											
10/24/2019 Olsson, PRP, CK#1458			2000 2000								
10/18/2019 Affinis Corp., CK#1439, VOID CHECK										(\$14.644.80	
10/31/2019 Sales Tax Revenue for October				\$342,249.61							
10/31/2019 Wire In Public Works, McIntyre	\$300.00										
11/1/2019 Interest Earned			200 8 200 8		\$3,084.89						
11/27/2019 Sales Tax Revenue for November				\$336,763.45		200					

141200 the Room Content 1412	1462	19 889 92	\$1.261.30	00.005.18 00.000.00 00.000.00 00.000.00	518.786.44	\$53,040,39	\$1,147.38
86 SESSON	86.851.44 86.851.44 86.851.44 86.77 86.851.44 86.77 86.857.44	\$255, 883 61	818.85 81,281.30	00798715 00700785 00700785	518,786.44	ec oroless	\$3,682.61
100 100	1469 (6 (7 (72 (72 (72 (72 (72 (73 (73	19 TSP (953 G-1)	\$100.50 \$1,281.30	88,000.00 84,000.00 81,200.00	516,786.44	GE 040 258	\$5,682.81 \$294,614.75
SECONO S	86 (466) (46	19 889 61	00 182.18	00.00518 00.000,002 00.000,002 00.000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.0000,003 00.00	7.87.87.87.87.87.87.87.87.87.87.87.87.87	\$53,040,39	\$204.614.75
SECURD S	86.851.44 86.851.44 86.851.44 86.851.44 86.851.44 86.851.44 86.77 666 810.007.75 668 810.007.65 668 810.007.65 668 810.007.65 668 810.007.65 668 810.007.65	\$255, 883 61	818.85 91,281.30	00798718 00700788 00700788	58.786.44	95.040,028	\$264,614.75
SECURIO SECU	86 551.44 86 551.44 86 551.44 86 571.66 87 71.66	1972/983/01	\$100.50 \$1.281.30	85,000.00 85,000.00 81,200.00 91,200.00		GC.040.288	\$5,682.81 \$294,614.75
SECUND S	85 851.44 85 851.44 80.711.66 81.10.66.57 810.06.65 810.077.65 810.077.65 810.077.65 811.18.66 811.18.66	1928-889	05 192, 18	00700715 00700715 00700715		\$53,040,319	\$204,614.75
	89,851,44 89,711,96 81,711,96 81,711,96 81,711,96 81,711,96 81,149,96 81,149,96 811,189,96 811,189,96 811,189,96	\$255, 883 61	5108.50 51,281.30	00792715 00792715 00700716785		GE CHC) 1585	\$264,614.75
171 171	80,851,44 80,711,06 81,110,06 810,06,37 830,486.53 830,486.53 813,077,65 813,077,65 814,186.53 811,186.01,77 811,186.01,77	13.2%, 883.61	\$1.281.30	\$20,000.00 \$28,100.00 \$1,280.00		dc.040.288	\$294,614.75
\$100.00 \$120.0	80.851.44 88,711.86 \$110.063.37 \$10.406.53 \$10.146.96 \$10.007.65 \$10.007.65 \$10.150.60.17	15.5%	05 185.18 02 185.18	\$24,000.00		\$53,040,39	\$294,614.76
STATUTO STAT	50,551,44 80,711.06 510,006.37 530,408.58 830,408.58 813,077.68 813,077.68 811,178.59 811,178.50	\$226,683.61	8108-00 91,281-30	00'062'15 00'000'1628		\$53,040,39	\$264,614.76
80,000 00 00 00 00 00 00 00 00 00 00 00 0	\$0.851.44 \$0.711.06 \$10.906.37 \$30.408.56 \$13.07.06 \$13.07.06 \$13.07.06 \$11.189.56	13.2%, 883.61	\$100.50 \$1,281.30	\$28.310.00 \$1,260.00		dc:0r07558	\$294,814.75
\$108.50 \$8.507.44 \$8.577.45 \$10.000.00 \$10.000.45 \$10.0	80,851,44 88,711,86 \$110,063.37 \$10,106.53 \$10,106.50 \$10,007.65 \$10,007.65 \$10,007.65	\$255	05 87.281 30	\$1280.00			\$284,814.76
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The next road comparison is Loring road between Loring drive and CR #2 (158th street). Measurements were taken centerline to edge of pavement (North) and from centerline edge of pavement (South). This stretch of road is 1.9 miles measured by odometer and the posted speed limit is 50. Three measurements were taken one at each end and one towards the middle. All three were different but were between 28'-29'. With the vehicle parked on the edge of the road passing vehicles DID have to cross the centerline to pass our vehicle. A vehicle passed us every 30 seconds to a minute. No pictures were taken since Kaw Valley has submi ed some for us to use. This road has not been updated but has been maintained by Leavenworth County residents. In the last 9 years Leavenworth County residents have spent \$ 171,243.47 on maintaining this road. That's \$ 19,027.05 per year and since this road is 1.9 miles long that breaks down to \$ 10,014.24 per year per mile.

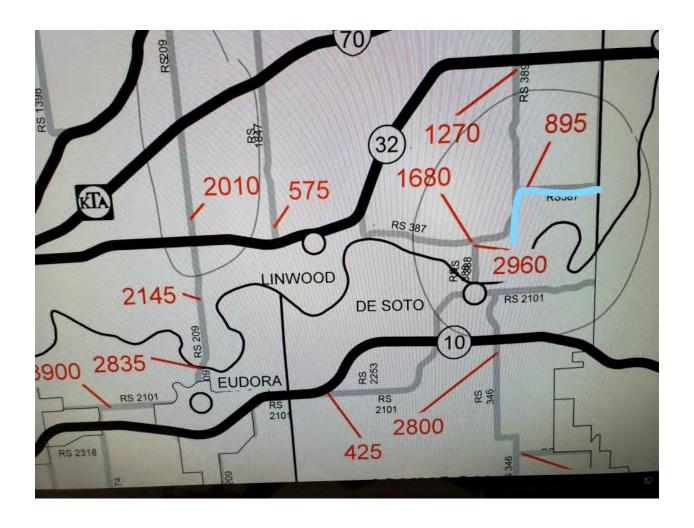
The last road comparison is 158th street or CR #2 between Loring Road and the curve where CR #2 turns into Golden Road. This stretch of road is one mile measured by odometer and the posted speed limit is 50 mph. There are two curves in this stretch. One posted as 45 mph and one posted at 35 mph. This is the only road in this comparison with speed reducon cur ves. Three measurements were taken and were as such. #1 we parked in Díaz's driveway and took the measurement north of the driveway. From centerline to edge of pavement (west) and centerline to edge of pavement (east). That measurement was 27'. #2, we parked in King's driveway and took a measurement south of King's driveway same manner as previously stated. That measurement was 23'. #3 we parked in the Morgan's driveway. A measurement was taken north of Morgan's driveway same procedure as before. That measurement was 25'. A vehicle passed us every 15 to 30 seconds. That is twice as o en as Loring road or CR #1. We did not park on the side of the road while taking the measurements because this would have created an unnecessary hazard for passing vehicles. This road has not been updated but has been maintained by Leavenworth County residents. In the last 9 years Leavenworth County residents have spent \$666,754.97 on maintaining this road. That's \$74,083.89 a year. The start and stop distances are not given by public works so per mile price can't be calculated.

These figures were obtained by a KORA request and supplied by Leavenworth public works. The informaon w as supplied on 91 pages of documentaon and in no cert ain order. It takes some met o cipher through and calculate. For this reason, these pages are not included but are akainable as they are public record. These comparisons were performed on a Sunday an ernoon between 2-4 p.m. Some traffic count informaon is as follows. 2016 average daily volume sheet that is very small print. An enlargement trying to show 147th street. No readings were easily found as this used to be a gravel road. The last sheet is an enlargement that shows CR #1, CR #2 and Loring Road. These areas are circled for clarificaon.



0.000





The average car weighs 2,871 pounds and the average pickup truck weighs 6,000 pounds. These figures are from Goggle. The average Tractor trailer with end dump trailer weighs 30,000 pounds and the average loaded end dump weighs 80,000 pounds. With the proposed figures supplied by Kaw Valley Companies they are to move 2,000 tons of sand per 8hour workday 5 days a week. 2,000 tons divided by 25 tons (the legal amount an end dump can haul) is 80 loads per day. There will also be 80 return trips empty. For this next comparison the average weight of a pickup truck will be used. Loring road in the previous picture is a blue line that says 895. This is the average daily volume from this 2016 traffic count. You have 895 vehicles weighing an average of 6000 pounds. 80 empty KV trucks mes the weight of 30,000 (is the weight of an empty end dump) equals 2,400,000 pounds. Take 2,400,000 pounds divided by 6000 (average pickup weight) and you get the equivalent of 400 vehicles. A legal loaded Kaw Valley truck weighs 80,000 pounds mes 80 loads equals 6, 400,000 pounds. Take 6,400,000 pounds divided by 6000 (average pick up weight) and you get the equivalent of 1067 vehicles. The equivalent of 1467 vehicles per day doing wear and tear on this county road. If you were to use the average car weight, it would be more than double. Somewhere between 1467-3065 vehicles. There are currently 895 vehicles on an average day. The wear and tear of this road would increase 2-3 mes per day. It's not the volume of trucks but the weight. 80 loaded and 80 empty trucks per day would be equivalent to 42,000 bike riders per day (25pound bike and 185pound rider). The damage the trucks will do won't compare to a bicyclist. It is Kansas law to give a bike rider 3 feet when passing, these county roads don't support this safely. You must use the majority of oncoming traffic's lane to do this per state law.

Last thought.

You have 160 trucks per day mes 5 da ys equals 800 trucks in one week. You have 800 trucks per week mes 4 equals 3200 truck s per month. You have 3200 trucks per month mes 12 equals 38, 400 trucks per year. This the MINIMUM amount sand proposed to be moved. In theory this is the minimum amount of damage that will be done to these county roads. The maximum proposed by KV was 5000 tons a day. Doing the math puts that at 96,000 trucks per year. Somewhere between 38,400 to 96,000 trucks per year. The residents along this proposed truck route did not purchase a house knowing these odds of having a mishap with a tractor trailer. The chip and seal on these county roads were never designed for that type of workload.



All Students Developing and Reaching Their Potential 2008 N. 155th Street | Basehor, KS | 66007 | p. 913.724.1396 | f. 913.724.2709

September 10, 2019

Dear Leavenworth County Commissioners:

As a school district, Basehor-Linwood is tasked with educating children in a safe and secure environment. We meticulously screen personnel with heightened vigilance and thorough background checks. We consistently improve security features in our buildings and on our grounds. We facilitate multiple drills for intruder, fire and tornado safety in classrooms, and conduct active shooter training for our staff. Our coaches and many other staff are trained in CPR. We participate in state and national efforts to improve the education and the lives of our children. We require continuing professional development of our staff. We doggedly track the academic improvement of our students. We diligently monitor our finances and ensure we meet our budget requirements, and ensure that funds are invested in items that will further enrich the lives of our students. We do what we can to make sure our students become productive members of society who are fully equipped to continue preparing for their future. Above all, our number one priority is the safety and security of our students.

There are several things, however, that we cannot control as a school district. One of those is the general infrastructure of the community we serve. As Leavenworth County and the surrounding area continues to grow and expand, Basehor-Linwood School District is committed to serving the needs of the growing population. While we can ensure that our bus drivers are trained, and our buses are in good working condition, we cannot control the flow of traffic, speed limits, and road conditions. Specific road conditions, like shoulder drop offs, wheel ruts, poor road design, unsafe speed limits, unsafe intersections, unsafe construction or work areas, missing barriers and guardrails, missing or confusing road signs, potholes, unannounced changes in road surfaces, and faint or poorly painted lines all contribute to vehicular safety for both the buses and the traffic that surrounds us. Therefore, as a district, we would like to remind county commissioners that as the county continues to grow and as growth opportunities are reviewed through extensive traffic studies, cooperation with the Kansas Department of Transportation and communication with surrounding communities, thoughtful consideration should be given to how that growth may impact nearby school districts and the safety of all people traveling on county roadways.

Sincerely,

David Howard &

Basehor-Linwood USD 458 Board of Education

David Howard Superintendent

Sherry Reeves Assistant Superintendent

Dr. Ben Pretz Director of Teaching and Learning

http://www.usd458.org



Bonner Springs/Edwardsville Unified School District 204

Teaching today's learners for tomorrow's challenges

July 29, 2019 Leavenworth County Planning and Zoning Department

To Whom It May Concern:

I am writing to express the school district's concern over the proposed quarry on County Road 2.

We have a bus route in the area that picks up in the morning and has a drop off route in the afternoon. The large trucks traveling down a narrow two-lane road with little to no shoulder is going to be extremely dangerous, even more so during periods of inclement weather.

The proposed quarry poses a potential safety concern for our USD204 students and bus drivers. I would appreciate any additional information you have regarding this proposed development.

If I can be of further assistance, please feel free to give me a call.

Sincerely,

Dan Brungardt Superintendent



June 28, 2019

Leavenworth County Planning and Zoning Department Attn: Jeff Joseph, Director 300 Walnut Street, Ste 030 Leavenworth, KS 66048

Subject: Proposed Special Use Permit for Kaw Valley Lenape Sand Quarry (DEV-19-008)

Mr. Joseph:

As a quick introduction, I am Rachel Clyne, City Planner for the City of Bonner Springs, Kansas. The City requests open communication with your department regarding the proposed sand quarry project, the land use application process, and the effects of the Lenape Sand Quarry SUP approval to our community.

In the spirit of regional cooperation, staff would like to participate in the coordination of the truck route as the significant increase in heavy truck traffic will impact the City of Bonner Springs and School District USD 204. The coordination efforts amongst staff can ensure the traffic route to and from the quarry and the processing plant is adequately designed to allow for safe and efficient travel.

Safety is a considerable concern of the City and School District (USD 204) as the Middle and High Schools are located adjacent to Kaw Drive (K-32). The Bonner Springs Elementary School is located two (2) blocks south of K-32, which strengthens the obligation to consider the safety of children on crosswalks. Additionally, the School's bus routes, both morning and afternoon, are likely to be affected as the sand trucks are to begin traveling shortly after 7:00 a.m., throughout the day, and returning during the 3 o'clock hour.

Please contact me to establish a time to discuss the SUP project prior to the Planning Commission meeting on July 10th. With the exception of the next week's holiday, my schedule is fairly flexible. I look forward to speaking with you or your staff soon.

Respectfully,

Rachel Clyne City Planner

Community & Economic Development

913-667-1708

rclyne@bonnersprings.org

Basehor-Linwood Unified School Di

Basehor-Linwood High School - Basehor-Linwood Middle School Basehor Elementary School - Linwood Elementary School Glenwood Ridge Elementary

Unified School District - 458

2006 N. 155th Street, P. O. Box 282 - Basehor, Kansas 66007-0282 - (913) 724-1396 - 723-3400 FAX: (913) 724-2709

Dr. Calvin C. Cormick Superintendent Den Swartz Director of Operations

August 21, 2002

To: Leavenworth County Planning and Zoning Commission

From: Cal Cormack, Don Swartz, Basehor-Linwood USD 458

He: Proposed Quarry on County Road 2

It has come to our attention that a proposed Rock Quarry in this location could introduce as many as two hundred large trucks of gravel travelling the same roads as many of bus routes on a daily basis. All of our middle school students are bused on County Road 2 and 32 highway daily and any high school students coming from the south end of the district also use those roads.

We would question the safety implications of the introduction of that much truck traffic on those heavily traveled roads, especially in inclement weather. Thank you for considering our concerns in your decision making process.

Sincerely,

Carvin C. Cormack, Ed.d.

Don Swartz

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August 21", 3002

Leavestworth County Planting and Zoning

To Whom It May Common.

I am writing to express our concerns over the proposed quarry on County Road 2. We have a bus route in the area that picks up in the morning and has a drop off route in the afternoon. The large trucks leaving on a regular basis pose a potential safety concern on the substandard roads in the area, especially during periods of inclarment weather

I would appreciate any additional information you have regarding this proposed development, and if I can be of further assistance please feel free to give me a call

Sincerely,

Dr. Robert I Van Maren

Superintendent

"I am writing to express our concerns over the proposed quarry on County Road 2. We have a bus route in the area that picks up in the morning and has a drop off route in the afternoon. The large trucks leaving on a regular basis pose a potential safety concern on the substandard roads in the area, especially during periods of inclement weather.

I would appreciate any additional information you have regarding this proposed development, and if I can be of further assistance please feel free to give me a call.*

HOW DOES THE PROPOSED LENAPE SAND QUARRY AFFECT THE SAFETY OF BUSING CHILDREN FOR SCHOOL?

- Basehor-Linwood & Bonner Springs school districts will have buses directly
 interfacing on the local roadways with Kaw Valley trucks or its outside carriers for
 approximately 4 hours on a daily basis. Additionally, buses transporting students
 for additional school events -- games and field trips, for example -- will encounter
 heavy commercial trucks en route.
 - Buses carry at least 50 students and can transport up to 70 students, when small children are packed onto a bus
- Kaw Valley trucks weigh 80,000 lbs. fully loaded. According to the Department of Transportation, Kaw Valley trucks have had 38 maintenance violations in the past 24 mo. including defective steering system components, broken/loose universal joints, maladjusted/defect brakes, inadequate brakes for safe stopping, and failure to properly secure cargo. In accidents involving commercial trucks, 84% of deaths are the other party, not the truck drivers.
- Even with safety measures taken by bus manufacturers, I am sure you can
 imagine the damage of an empty commercial truck at ?? Ibs or even worse a
 loaded commercial truck at 80k Ibs colliding with a 10k Ib (17k loaded) bus with
 children on board. Collisions and rollovers are grave possibilities on these roads
 with limited sight caused by hills and curves.
- At least 90 Basehor Linwood students live in the SE corner of LV County, south of K-32 and between 158th and 170th streets. These students will be most adversely affected by the increased heavy commercial truck traffic due to:
 - Narrow roads barely wide enough for two large vehicles to pass, lacking shoulders, and with non-recoverable slopes
 - Curving roads and hills causing limited visibility. Already risks for drivers pulling out of driveways onto roadways and turning at intersections -increased oversized vehicles = increased risk!
 - The frequent bus stops already tempt impatient drivers to disobey school bus passing laws, which will undoubtedly increase with greater numbers of vehicles on the roads during these times. School bus drivers relate that drivers often do not stop even with the stop arm extended and red bus lights flashing
 - Greater risk for students waiting for buses at their driveways due to the increased traffic of heavy commercial truck traffic and no shoulders

- Drivers are already struggling to get support from law enforcement of violators currently on the roads
- The proposed Kaw Valley Sand Pit promises to transport materials between 7
 AM 3 PM, by diesel truck, adding 160-240 trips (delivery and returns) per day.
 Plus, independent contractor sales will add even more traffic.

Risks for new or student drivers who lack experience in accident avoidance

- These numbers of students do not include students west of 170th to Linwood, and east of 158th Street to 142nd Street. Also not included are buses from the Bonner Springs School District which travel mutual roads as the Basehor Linwood School District. Adding many heavy commercial trucks per day will surely jeopardize the safety of ALL of the students!
- There is a lengthy history of vehicular accidents particularly at the corners of 158th and K-32 and 166th and Golden Road. Due to frequent accidents at the corner of 158th and K-32, the speed limit was reduced from 65 to 55, but accidents still occur frequently and have included our school buses
- Surely there are alternative sites better suited (with easy access to commercial arteries and roadways) for Kaw Valley to mine and transport materials that without putting so many of our precious future leaders at risk in their formative years

Infrastructure is not suited for frequent heavy commercial truck traffic

The Basehor Linwood school district has had average growth of over 3% per year. The bond for over \$51 million in new structures and improvements passed without anticipation of increased Mill Levy. The improvements will be paid for simply due to the growth in and around the community. The approved bond included two new elementary schools to accommodate residential growth in the district. Busing to the new Linwood Elementary School will also directly interface with the truck routes. Territories South of K32 on 158th and even east of 158th are in the Basehor Linwood school district.

It was very evident from speaking to experienced bus drivers around the area (for daily busing as well as busing to field trips and sports) that their concerns were real and credible. The following list represents some of their existing concerns:

- Everyday, impatient drivers already run through bus stop signs and flashing red lights
- Narrow roads with no shoulders and non-recoverable slopes are difficult to navigate when two large vehicles come toward each other; buses already experience hazardous conditions when other service vehicles -- such as mail and trash trucks -- pass in oncoming lanes to get around obstacles
- Sand on road surfaces make roads slicker and more dangerous

- Limited sight due to curves, hills and inclimate weather; also, periods of short daylight hours
- Already prolonged stopping distance of school buses made more dangerous with the addition of many heavy commercial trucks into the equation
- Students waiting for buses along rural, non-commercial roadways
- Buses will be even more challenging to maneuver as roads deteriorate more rapidly due to commercial truck traffic wear and tear
- Sharing roadways with heavy commercial truck traffic during periods of inclimate weather

NHTSA recommends 6' from where the bus would stop. School buses are the most regulated vehicles on the road.

NHTSA decided the best way to provide crash protection to passengers of large school buses is through a concept called "compartmentalization." This requires that the interior of large buses protect children without them needing to buckle up. Through compartmentalization, children are protected from crashes by strong, closely-spaced seats that have energy-absorbing seat backs.

From 2008 to 2017, there were 317,994 fatal motor vehicle traffic crashes. Of those crashes, 1,113 (0.4%) were classified as school-transportation-related. Fifty-two percent of school-transportation related crashes from 2008 through 2017 occurred in rural areas.

Lack of enforcement & court for drivers in violation of buses & trucks in violation

Operation of heavy commercial trucks through residential communities on narrow, limited sight rural county roads creates unacceptable risk to human health and life.

No shoulders, limited sight, lack of stopping capabilities

Dangers of avoiding postal, trash and other vehicles buses are having to pass on the opposite side of the road-oncoming trucks...

As a resident of this growing residential community, I wish to prioritize safety first for our children. The opportunity stands to prevent the obvious risks of injured children and god forbid fatalities.

In 2002, both USD 204 (Bonner Springs) and USD 458 (Basehor Linwood) wrote letters to LVCO Planning and Zoning to express concerns for the safety of children on school buses with the proposed increase in heavy truck traffic.

So the question still lingers: **what** is the benefit of the proposed Lenape Sand Pit for the community and Leavenworth County at large?

Safety of Busing Children in SE Leavenworth County

As related to Kaw Valley Sand Pit Proposal

- Schools buses will be on the same roads with Kaw Valley heavy commercial trucks and other contracted truck drivers around 4 hours her day.
- Busses carry up to 70 students per bus weighing 20,000 lbs.



- The KV Sand Pit will transfer sand in trucks weighing 40,000 lbs. to 80,000 lbs.
- According to the DOT, Kaw Valley trucks have had 38 violaons in the pas t 24 mo. including defect e steering system components, broken/loose universal joints, maladjusted/defect brakes, and inadequate brakes for safe stopping.



- NHTSA Stas cs
 - o 52% of documented school transportaon r elated crashes have occurred in rural areas.
 - Of the people killed in large truck crashes, 83% were occupants of other vehicles or pedestrians.
- Curving roads and hills causing limited visibility. Already risks for drivers pulling out of driveways onto roadways and turning at intersecons. Incr eased large vehicles = increased risk!
- Frequent bus stops causing traffic to disobey school bus passing laws which will increase with greater numbers of vehicles on the roads during these mes. School bus drivers relate that drivers of endo not stop even with the stop arm extended and bus lights flashing.

- Greater risk for students waing f or busses at their driveways due to the increased numbers of large vehicles and no shoulders.
- Risks for student drivers not as experienced in accident avoidance



• Surely there are alternate sites to place this KV Quarry that would not put so many of our precious future leaders at risk in their formav e years!



File name: Pit Statements

In 2019 and in August of 2002 both USD 204 (Bonner) and USD 458 (Basehor) wrote letters to the Leavenworth county expressing concerns for the safety of children on school buses with the proposed increase in truck traffic. Both of these letters were delivered to the Commissioners. There are no roads where Kaw Valley trucks and school busses won't intersect for at least 4 hours per day. Our area of the county is one of the fastest growing and has the most schools and now another elementary school is being built off of K-32 which will be another hazardous site for school busses.

Kaw Valleys application will impact unsafe roads by heavy commercial truck traffic, creating unacceptable risk to human health and life. Linda Koska talked to Doug Smith when he called my daughter's house (Jennifer Smith Janes) to thank her for the letter she wrote to him expressing her concerns about the truck traffic and he told Linda that the county's roads were never designed for heavy truck traffic. The roads have no shoulders and many steep drop-offs which means there is no place to go in emergencies. This puts school busses, mail delivery, trash people and your residents getting their mail and driving on the roads in grave danger especially when dealing with these large commercial trucks.

Traffic and road issues.

Common sense, as well as expert opinion, unequivocally demonstrate that the exposure of residents to heavy truck traffic, particularly heavy truck traffic, is going to make all property in the area less desirable and, therefore, less valued, not to mention the risk to human life.

Operation of heavy commercial trucks through residential communities on narrow, limited sight rural county roads creates unacceptable risk to human health and life.

The actions of Planning and Zoning and the Commissioners and their mission statement don't seem the same. We sat through a Commissioner's meeting where a special use permit was turned down because of possible barking dogs at

a doggie daycare. Even though the connecting neighbors had no objections to the issuing of the special use permit. Barking dogs can't endanger resident's lives like these big commercial trucks.

The consequences of such discomfort should not be forced on Leavenworth county residents without their approval.

At the same time, neighbors, commuters, school buses, bicyclists, pedestrians and children will be using the roadways.

In any large truck crash, 84% of the deaths are visited upon the occupant of the other vehicles, pedestrians, bicyclists and others.

While the citizens of the county have no vote on the PZ Commission, their unequivocal and vocal protests speak volumes as to what ordinarily citizens think about the development of the neighborhood in which they have invested their savings, their families and lives. No statement or argument could be more convincing than this simple protest and presence of neighbors at these governmental deliberations. Heed should be paid to their enjoiners.

Leavenworth County residents use the direct route to get to their jobs in Johnson County. The trucks entering intersections (especially pulling out of the pit site) won't be able to make the turn without entering the oncoming lane of traffic. These are residents that pay taxes in your county.

Kaw Valley is not going to have jobs open, not much profit and lots of wear on roads. This is in a floodplain and no one is going to loan money for a concrete or asphalt plant to go in which would even compound the dangers for your residents. They have moving violations against them for lack of brakes to stop, universal joints, and dropping loads on road (sand). Edwardsville has been dealing with sand from them for years. If the mine sand for 50 years then they will turn it into a dumping ground for the pit to put their construction waste in like they did in Edwardsville. Indian Springs debris is buried there.

Kaw Valley's special use application requires heavy commercial vehicles on roads that weren't designed for this type of traffic, thus creating unacceptable risk to human health and life.

Leavenworth County residents and property owners are concerned about the increased truck traffic volume along Kaw Valley's proposed haul rate in and out of Leavenworth County. Some specific areas of concern include the noise impact, the safety, and the quality of life for residents who own property and/or travel along this route.

What is the expected daily truck volume?

Total daily truck volume for this discussion will include only truck traffic along the proposed haul route:

- 1. **Existing truck traffic**: Approximately **30** one-way trips through the haul route are happening today, based on the Traffic Impact Study completed on January 9, 2020 by Cook, Flatt & Strobel Engineers P.A. for Kaw Valley Companies.
- 2. **Kaw Valley truck traffic**: Approximately **160** additional one-way trips through the haul route, based on Kaw Valley's estimates of 80 round trips per day during the 8-hour hauling period.
- 3. **Kaw Valley customer truck traffic**: Estimates have not been provided by Kaw Valley to date. This document will assume that Kaw Valley customers will add **100** additional one-way trips (50 round trips) through the haul route each weekday.

In total, 290 trucks (30 + 160 + 100) will travel along the haul route each weekday.

How often will a truck pass by a given property each day?

Assuming that trucks will pass through the haul route at a steady rate throughout the 8-hour hauling period, a truck will pass by any one property every 100 seconds.

How much will noise increase for property owners?

The Traffic Impact Study cited above recommends, among other changes, a reduction in the speed limit on Loring Road from 50 to 45 miles per hour.

Decibel levels shown below assume the property residence is located 50 feet from the road. Many homes are more than 50 feet from the road, but some homes are less than 50 feet from the road.

Noise impact at 45 miles per hour

The noise impact along the proposed hauling route will be illustrated first for properties where each truck will pass by the property at an assumed speed of 45 miles per hour. At this speed, the formula below shows that the truck will travel 66 feet per second.

Assuming 300 feet of road frontage for a given property, the truck will pass the property in approximately 4.5 seconds:

300 feet x 1 second = 4.5 seconds

66 feet

Assuming a decibel level of 90 dBA¹ for a diesel truck at 45 MPH at 50 feet, residents would be subject to this increased noise level for 4.5 seconds out of every 100 seconds for eight hours each weekday.

Noise impact at intersections

The noise impact will be more extended for properties where the hauling route crosses interactions and rounds corners, requiring both deceleration and acceleration. These intersections include:

- 161st Street and Golden Road
- 158th Street and Loring Road
- Loring Road and Loring Drive

At these intersections:

- Loaded trucks coming from the Lenape operation will be accelerating to climb the next hill and to achieve the maximum allowed speed.
- Trucks traveling either in or out of the county will be decelerating and braking in order to stop, whether for a stop sign or for oncoming traffic, and then accelerating after turning the corner or exiting the intersection.

In these areas, trucks will be traveling at a lower speed. At an assumed average speed of 15 miles per hour, the formula below shows that the truck will travel 22 feet per second.

Assuming 300 feet of road frontage for a given property, the truck will pass the property in approximately 13.6 seconds:

```
300 feet x <u>1 second</u> = 13.6 seconds
22 feet
```

Assuming a decibel level of 83 dBA² for a diesel truck at a low speed from 50 feet, residents would be subject to this increased noise level for 13.6 seconds out of every 100 seconds.

Why is the additional noise a problem?

The EPA says noise degrades quality of life by impairing communication and social interaction; reducing the accuracy of work, particularly complex tasks; and creating stressful levels of frustration and aggravation that last even when the noise has ceased.³

Does this qualify as noise pollution?

From the Noise Control Levels section of the June 25, 2019, <u>Plant Noise Level Study</u> commissioned by Kaw Valley Companies, Inc.:

The allowable noise levels at neighboring property boundaries typically required by cities and

counties in the Kansas City metropolitan area in a residential zone during the daytime is 55 dBA.

At 45 MPH, a decibel level of 90 will be reached for 4.5 seconds out of every 100 seconds. The average decibel⁴ level between 7am and 3pm will be **76** dBA.

At 15 MPH, a decibel level of 83 will be reached for 13.6 seconds out of every 100 seconds. The average decibel⁴ level between 7am and 3pm will be **74** dBA.

The Kansas Department of Transportation's Highway Traffic Noise program⁵ identifies a noise impact if one of two conditions are met:

- If predicted noise levels approach or exceed the Noise Abatement Criteria OR
- If predicted future traffic noise levels substantially exceed existing sound levels
 - o Substantially exceed is defined as more than 10 decibels

Along the haul route, both criteria will be met.

Does noise pollution matter in Leavenworth County?

On December 11, 2019, the Leavenworth County Commissioners rejected an application for a doggy daycare because the sound level exceeded 60 decibels at the property line.

Noise levels are a priority and should continue to be considered a priority for all residents of Leavenworth County.

Is it safe to have so much commercial truck traffic in a residential area?

Along the proposed haul route there are 39 residential driveways. At many of those driveways, children wait by the side of the road to board school buses.

Unless school lets out early, the afternoon school bus traffic typically occurs after the Kaw Valley truck traffic will have finished hauling for the day at 3pm. The morning school bus traffic directly overlaps with the allowed hauling hours. Best case, as buses stop along this route, trucks will back up behind the buses as truck drivers watch their hauling tonnage and resulting compensation decrease. Worst case, when roads are wet or slick, or children do something unpredictable, or trucks don't get stopped in time, or a distracted truck driver veers off the road and loses control, or someone gets impatient, the potential risk to children's safety becomes very clear.

It is unusual to have this level of commercial traffic in a residential area because the safety to residents is of primary importance.

Could this really impact someone's quality of life?

The neighborhood along the proposed haul route is quiet, rural, scenic, and residential. The route is so scenic that it is a favorite route for biking, running, walking, and other outdoor activities. Residents purchase property in this area because they greatly value these characteristics.

The volume of truck traffic discussed above shows the stark contrast between this quiet stretch of road today and the commercial road it would become if this project is approved. The neighborhood characteristics would change significantly with a sand truck passing through every 100 seconds, every day of the week, for the next 20 to 30 years.

Sources

1

https://idot.illinois.gov/Assets/uploads/files/Doing-Business/Manuals-Guides-&-Handbooks/Highways/Design-and-Environment/Environment/Highway%20Traffic%20Noise%20--%20Noise%20Fundamentals%20111215.pdf

2 https://ecfr.io/Title-40/sp40.27.205.b#se40.27.205_152

3 https://www.agza.net/noise

4

https://www.cirrusresearch.co.uk/blog/2013/01/noise-data-averaging-how-do-i-average-noise-measurements/

5 https://www.ksdot.org/Assets/wwwksdotorg/PDF_Files/KDOTHighwayTrafficNoiseProgram.pdf

BLOCKED RAILROAD CROSSING AT 158TH STREET AS CASUALLY NOTED BY LOCAL RESIDENTS

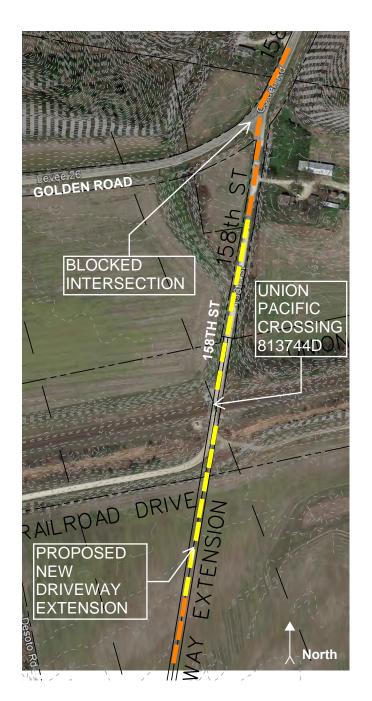
		Fe	ebrua	ry		
S	М	Т	W	Т	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

= 15-30 minutes (15 trucks idling)
= 30-60 minutes (30 trucks idling)
= 60 - 90+ minutes (45+ trucks idling)

			March	1		
S	М	Т	W	Т	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

			April			
S	М	Т	W	Т	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

			May			
S	М	Т	W	Т	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



THIS DIAGRAM ASSUMES KAW VALLEY WILL OPERATE APPROXIMATELY 24 TRUCKS AT THE PROPOSED LENAPE SAND QUARRY. WITHIN 30 MINUTES ONE TRUCK SHOULD COMPLETE CYCLE FROM LENAPE TO EDWARDSVILLE AND BACK. THIS EXCLUDES ANY ADDITIONAL TRAFFIC FROM DIRECT SALES FROM THE SAND QUARRY.

The data represented on the previous page is based solely on the casual observations of nearby residents. If monitored on a regular basis, these times and frequencies would most likely increase. The times represented were only during the proposed operation hours. The data excludes late evening or early morning blocked crossings.

The potential lengthy truck stacking on 158th Street could entice truck drivers to bypass designated crossing and continue west to the unapproved 166th Street crossing. There is also the possibility that drivers who are idling on 158th Street could become frustrated and potentially try to turn around or reverse on to Golden Road.













- 1) Golden Road East at 166th Street
- 2) Golden Road East
- 3) Golden Road East toward Golden Road curve (note blocked RR crossing on *Haul Route)
- 4) 158th Street North (*Haul Route).









- Loring Road (*Haul Route)
 166th Street at Golden Road (NW corner of pit site)
- 3) Golden Road Curve (*Haul Route)
- 4) Golden Road





1) 166th Street at Lenape Road 2) 158th Street 3) Golden Road Curve (*Haul Route)



Health and Safety

In this section are documents, descriptions, and commentary about the health and safety hazards associated with a sand pit. Included are:

two reports on the dangers of silica exposure

two reports on the noise associated with a sand pit

five articles detailing accidents at quarry sites

RESPIRABLE CRYSTALLINE SILICA

Crystalline silica is one of the most common minerals found on the earth. Materials like stone, granite, mortar, concrete, and sand contain crystalline silica.

According to the Mining and Quarrying Occupaonal Health & Sa fety Commi ee, "crystalline silica may become <u>respirable size parcle</u> <u>s</u> when workers undertake high-energy operaons such as <u>mining</u>, <u>quarrying</u>, fracturing, crushing, <u>hauling</u>, carving, polishing, sawing, drilling, sanding, shaping, chipping, cung or grinding an y materials or products that contain crystalline silica."

hp s://www.maqohsc.sa.gov.au/respirable-crystalline-silica/

Since 1974, NIOSH (the Naonal Inst ut e for Occupaonal Safety and Health) has recommended an exposure limit for respirable crystalline silica of 50 micrograms per cubic meter of air for an 8-hour day. OSHA (the Occupaonal Safety and Health Administraon) adopted this standard and mandated it into effect in June of 2018.

Below is an image of the vials that we looked at during the February 26 BOCC meeng , created by a laboratory to demonstrate some representave evolumes of crystalline silica.



The first vial represents 50 micrograms. This is the maximum permissible exposure limit for an 8-hour work day.

The second vial is representate e of 12.5 milligrams. This amount is calculated by taking the 50 micrograms and mulplying it be y 250 working days. This is illustrate e of the yearly maximum amount of crystalline silica that one could be exposed to.

The vials are representate of the maximum exposure that would be allowed under Federal mandate <u>for a daily work-shi on weekdays only</u>. Residents along a sand hauling route or in the vicinity of a sand quarry mining 2000 tons each day could be exposed for 24 hours each day, all year long.

So, what's the difference between sand on a beach or the river and respirable crystalline silica?

The Mining and Quarrying Occupaonal Health & Sa fety Commi ee states, "Respirable crystalline silica parcles are parcles that are smaller than 10 microns in size, enabling these parcles to reach deep into the human lungs." Again, this size of deadly parcles are created from the high-energy operaons such as mining, quarrying, and hauling.

How big is 10 microns? Well, one micron is about .00004 of an inch, a human hair is 50-70 microns in diameter, and a grain of fine sand from a beach is about 90 microns in diameter. Fine parcles of dus t, pollen and mold can be as small as 10 microns but are obviously not considered lethal. The smaller parcles of cr ystalline silica scale out at around 2.5 microns and are considered the deadliest. These can be nearly 1/100th the diameter of a human hair.

Similar to dust becoming airborne, the respiratory crystalline silica can travel great distances with the slightest breeze. From there, parcles that are not inhaled deep into resident's lungs may be clinging in their yards, roo ops, HVAC systems, vehicles and trees, concentrang and waing for a breeze or passing vehicle to send it airborne again. The smaller parculate ma@er of 2.5 microns can stay airborne for days or weeks. This is parcularly not eworthy due to the winds that we know can travel through the river booms and I'll also point out that the average home HVAC filter is only designed to remove parcles that are 5-10 microns in size or larger.

Once this deadly dust enters our lungs, our body's natural defense system encapsulates the fine parcles where they cannot be expelled. From there, scar ssue forms, reducing the ability of our lungs to take in oxygen. This triggers a development of a variety of diseases including silicosis and lung cancer.

The Mining and Quarrying Occupaonal Health & Sa fety Commi ee notes the following as serious adverse health condions tha t are caused through respirable crystalline silica exposure:

- Irritate eyes, aggravate or cause skin disorders and auto immune disorders
- Pulmonary Hypertension
- · Chest infecons
- Chronic bronchis in flammaon of the air ways resulng in c ough and irritaon
- Emphysema destrucon of lung ssue and loss of lung surf ace area impacing the exchange of gases such as oxygen and carbon dioxide
- Acute Silicosis extremely high exposure levels a_er a few months or years, can result in weight loss and severe inflammaon and outpouring of protein into the lungs
- Accelerated silicosis which occurs within 10 years of high levels of exposure, disease symptoms mirror acute and chronic
- Chronic Silicosis can affect the upper lungs, cause extensive lung scarring, causes shortness of breath, fague, weight loss and interferes with the exchange of gases which takes place in the air sacs – usually has a long latency period of approximately 10-30 years
- Lung Cancer occurs with heavy exposure to crystalline silica smokers are grouped in the higher risk category
- Kidney damage and Chronic Kidney Disease may require dialysis if severe

- Renal Disease The mechanisms by which silica may damage the renal system can be either
 through direct (silica parcles in the kidne y) or indirect toxicity. This indirect toxicity likely occurs
 when the lungs, a_er being exposed to silica parcles, begin to produce macrophages to a@ack
 the parcles. This process, in addion to lymph node smula on, acvoates the immune system
 and can lead to glomerulonephris
- Scleroderma a disease of the connecv e ssue of the body r esulng in the f ormaon of sc ar ssue in the skin, joints and other organs of the body, pins and needles in the hands can be a symptom

Silica-related lung disease is **incurable and can be fatal**, in fact it kills hundreds of workers in the U.S. each year. NIOSH has esma ted that at least 2.2 million workers in the mining and construcon industries are exposed to respirable silica each year. When concentraons of the sen y parcle s are intensified around a sand quarry and sand hauling route, the consequences can be lethal to many.

Those with asthma, the elderly, and children are parcularly a trisk. Children have smaller airways and breathe more air per body weight than adults. The penetraon of the dust into their ny lungs is greater than in adults exposed to the same concentraon. The City of DeSot o is looking at passing a bond for over 3 million dollars which will encompass various improvements and addions to their parks right alongside the river, and well within range of the respirable crystalline silica parcles. Can you imagine all the children playing on the new baseball and soccer fields? Families enjoying the new picnic shelters? I also cannot help but to point out the Great Life golf course and its patrons. How sadly ironic would it be to expose these people to such deadly airborne parcles when the y presume they are outdoors for fresh air and exercise.

**Is this really a risk that could come from Kaw Valleys mining operaons? – See belo w:

MSHA enforces control of **exposure to harmful airborne contaminants**. The MSHA regulaon concerning this is found in Part 56-Safety and Health Standards – Surface and Non-metal Mines, Subpart D – Air Quality and Physical Agents. According to the MSHA public records, this subpart has been **violated by Kaw Valley Companies 19 mes**, with the most recent violaon t aking place 3 months ago, in December of 2019. hp s://www.msha.gov/mine-data-retrieval-system



The Mining and Quarrying Occupaonal Health & Sa fety Commi ee reminds us that there are three main forms of crystalline silica, Quartz, Cristobalite and Tridymite, with Quartz being the most common form of crystalline silica. MSHA records health samples of miners/employees that are exposed to quartz/respirable crystalline silica. Kaw Valley reports indicate mulple ins tances in their mines where employees are exposed well above the maximum Personal Exposure Limits (PEL).

Mine ID	Date	Location	Job	Contaminant Code	Concentration (PEDS)	PEL	PPE	Contractor ID	Action
1400895	8/15/2017	M - Dry Screening	Dry Screen Plant Operator	Quartz, respirable, >1% Qtz	1.84	0.46	N	0	CITATION/ORDER ISSUED
1401667	11/6/2019	M - Drying & Roasting	Kiln/Dryer Operator	Quartz, respirable, >1% Qtz	1.07	0.67	Υ	0	LAB RESULTS INDICATE EXPOSURE LIMIT EXCEEDED

Addionally , Kaw Valley has had 2 Federally Reportable violaons of the Clean Air Act in the las t 3 years as reported by the EPA: https://echo.epa.gov/facilies/f acility-search/results

Please do not put our children, our families, our community, neighboring communies, and even those driving through our county at risk. This is a very serious consideraon tha tI am asking you to take into account. You have the <u>authority to protect the public health and safety of our community, as well as our quality of life</u>. Thank you in advance for doing that.

Addional r esources:

hp s://www.ewg.org/research/sandstorm/health-concerns-silica-outdoor-air

hp s://midwestadvocates.org/search?q=silica

hp s://www.federalregister.gov/documents/2019/08/29/2019-18478/respirable-silica-quartz

Dear Commissioners,

Thank you for hearing me this evening, and welcome new members. Tonight's vote on the Kaw Valley Sand Pit may be the most important of your career. It is 100% guaranteed to adversely affect the health and safety of thousands of people living in 3 counties and must be handled with utmost care, concern and education.

I am weary, exhausted by the regular barrage of threats to life as we know it in beautiful southern Leavenworth County; first, the Patriot Highway, then Tyson, now the Kaw Valley Sand pit.

When these bully companies with their hideous records riddled with myriad environmental, health and safety violations set their sights on our bucolic neighborhood for their devastating industries, I am overwhelmed with pride for the response of my community, neighbors and friends. This is a special place. Its remote location does not make it worth sacrificing to industry that will ruin it's feel for generations.

In my life, my most important job is to be a mother to my children: provide safe shelter, square meals, the right car, best safety seats, wipe tears, celebrate joys. Tonight, 12 years of protecting my family can all be undone by your vote because you are forcing my community to consider sharing space with a sand mine.

Today, I emailed each of you 2 easy articles about the dangers of silica. Have you researched silica before voting tonight?

Ignorance regarding silica is blissful compared to knowing the facts:

- Here is a vile to help visualize the maximum acceptable amount of silica exposure in a 24 hour period
- Silica is a known human carcinogen
- No one is immune: elderly folks, children, and those with compromised immunity will suffer most:
 - Damage to respiratory system, silicosis, arthritis, renal failure, lupus, kidney damage, heart failure, asthma, bronchitis, chronic pulmonary disorders, tuberculosis, and lung cancer
 - Children have smaller airways and breathe more air on a body weight basis. Proposed truck routes touch the corner of a block containing 3 Bonner Springs Schools, as well as bus routes to 4 Basehor Linwood Schools -- 7 schools in all, not to mention all truck routes mingle with school bus routes.
- A silica particle is smaller than the width of a human hair or a grain of beach sand, and currently lies undisturbed in this community. Should you approve

- this permit, it will be broadcast for miles, over thousands of acres, homes and people
- You cannot have a sand mining operation without releasing silica. It is not
 possible to keep communities safe, silica cannot be contained, exposure is
 quaranteed.

Have you personally driven the proposed routes to and from the pit location? The Kaw Valley Company has made weekly changes and adjustments to important facts and data in an attempt to control with chaos but, even still the routes range from 11 - 16 miles. Every route passes homes, businesses, farms, bus stops, summer camps, pastures, crops, livestock, families, generations, legacies, hopes and dreams. Each and every one of the hundreds of trucks per day for 20 – 40 years will send invisible plumes of deadly silica into the homes and bodies of thousands of residents in 3 counties. If you have not bothered to visit the proposed site in person, and drive the routes, how could you possibly vote to approve them?

Thank you,

Sarah Williams

While handing out packets -

Good evening -

I am Nancy Carpenter. I live at 14681 Kreider Rd in Bonner Springs, KS which is actually in Sherman Township. Before I get started, I need to hand out a few papers so you are able to follow along with my presentation. You see, I was so pleased to see a NOISE study included in today's agenda packet. NOISE is any <u>unwanted</u> sound – that's what the commissioned study discusses. It talks about allowable noise levels for residential, commercial, and industrial zones. I think it's important that you learn about the typical soundscape of RURAL southern Leavenworth County.

Start timing -

To that end, I conducted my own sound study. What you were just given is a map that shows the 8 independent locations as well as 6 different sites at the Burning Tree Golf Course where I recorded sound. The data from each location is summarized on the charts that you have. You'll also find a description of how I set up my study.

Let's take a look at a couple of typical sound graphics from my study.

Example 1 comes from location 2 on Loring Road right along the planning staff's recommended haul route. The red line across the graphic indicates the average sound level at the time of the reading while the black line represents the real time sounds. The large number at the top shows the real time decibel level with the small number below giving the average calculated decibel level up to that point in time. The peaks in these reading were bird songs that interrupted the 9 am rural soundscape. Please note that after peaks, the sound level tends to drop below the calculated average decibel reading.

If you turn to example 2, you'll find readings from location 4, up on the bluff about half a mile north of the proposed sand pit. This site was delightful as the stillness was shattered by cows! I

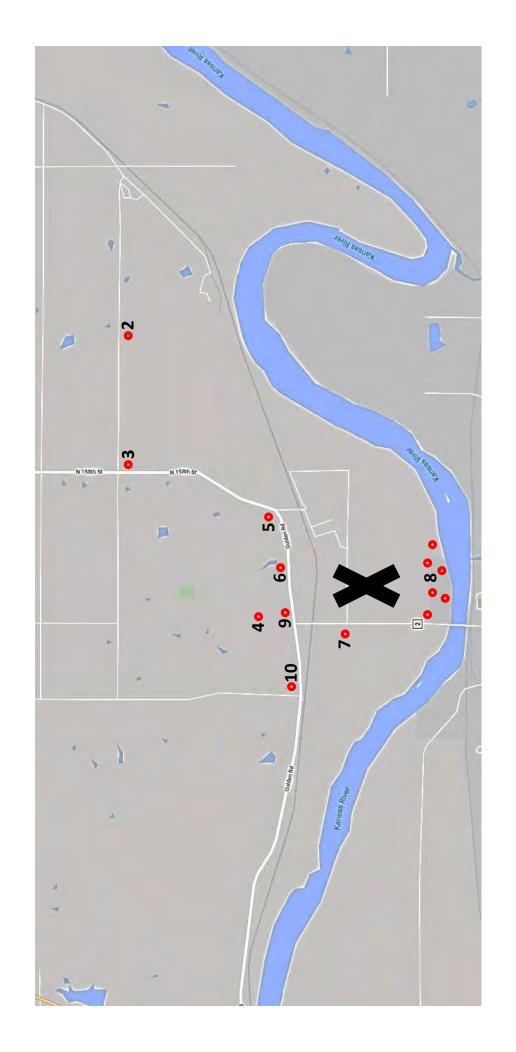
didn't even know that there were cows up there – I saw horses, not cows! Again, note that the levels tend to drop below that red line after sound events.

Example 3 was taken at location 5, along the recommended haul route where 158th turns north. This clearly illustrates how even loud sounds (emphasized by the yellow background) end abruptly and levels tend to settle back to below average. Rural soundscapes are like that – quick bursts of sound followed by that treasured peace and quiet.

You'll find that is not the case in example 4. This was taken on the bluff across the river from the Penny's sand pit dredging operation in Eudora, about half a mile from the dredge. Notice that the sound rarely peaks, rather it hovers at the average. That's the dredge – it is a constant, mechanical noise. There are no peaks and valleys to the sound – it just drones on and on. This is the promised soundscape on even the quietest of days for all those properties that adjoin the proposed pit site. I asked the landowner if she has gotten used to it – the answer was no. It was described to me this way. Picture yourself in a quiet room, almost asleep when a mosquito begins to circle your head. Is it loud? No. Is it annoying, persistent, irritating? Yes. Luckily, you can swat the mosquito – not so with a dredge.

The last example is a sand truck as it headed south from that same Eudora sand pit. The graphics speak for themselves. The background color is always yellow. That is NOISE. Those reading are at least 30 decibels above the sound level residents are accustomed to – 30 decibels that's 8 times louder than normal. That is the NOISE residents along the any haul route will be subjected to every three to four minutes, 8 hours a day, 5 days a week if this permit is approved.

Peace and quiet, a soundscape of bird song, random cows, train whistles, all settling back to levels well below the promise of sand pit NOISE. How can you possibly subject Leavenworth County citizens to that? I urge you to reject this Special Use Permit and preserve the rural sounds of our county.



Public Hearing Lenape Sand Quarry July 10, 2019 Nancy Carpenter

Sound Survey Summary

while recording audio then saves the recording, graphic, and low, high, & average decibel values in a file. Notes about distinct sound events were company that sets up community warning sirens, for advice on how to best measure background sound levels. "Sound Meter 2.1" displays a live graphic This study was conducted by Nancy Carpenter using an iPad mounted on a tripod running the "Sound Meter 2.1" app. I turned to Telegrafia, a taken during each recording.

June 20, 2019 between 9 am and 3:30 pm

source of highest	decibel reading	overnead plane	turning pickup truck	COWS	passing pickup truck	general traffic	tree moving truck	motorcycle	train	golf cart
highest decibel	reading at location	90	84	99	86	78	100	107	103	68
average decibel	reading at location	24.0	24.3	<mark>29.3</mark>	28.9	28.5	<u>42.7</u>	<mark>28.6</mark>	<mark>49.2</mark>	35.0
total minutes	recorded	711.5	13.3	12.2	13.4	6.1	12.8	13.0	12.8	17.4
number of recordings	at location	4	4	4	4	2	4	4	4	7
Location	in order of survey	7	3	4	5	*9	6	10	7	*∞

^{*}recordings where wind gusts noted were removed as my microphone was not equipped to distinguish sound from wind rushing over its surface

Please remember that the scale used with decibel levels is called logarithmic. It boils down to this.

An increase of 10 decibels results in the doubling of the perceived loudness of sound.

An increase of 20 decibels would quadruple the perceived loudness of sound ... doubling, then doubling again. (2 X 2 = 4)

An increase of 30 decibels would double the perceived loudness again, meaning the sound is perceived as eight times as

loud as the original. $(4 \times 2 = 8)$

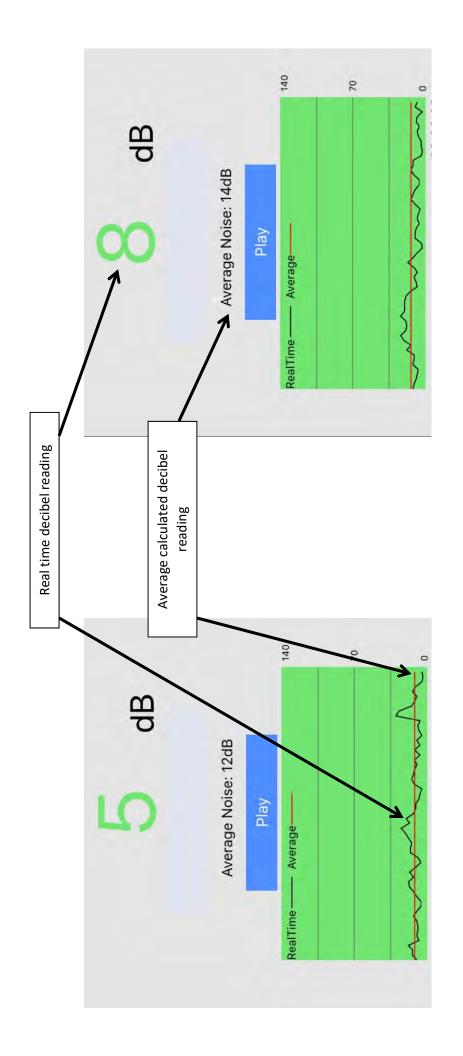
July 3, 2019 between 10 am and noon

Location	number of recordings	total minutes	average decibel	highest decibel	source of highest
	at location	recorded	reading at location	reading at location	decibel reading
wooded bluff above	7	1E 6	2 <u>5 9</u>	U8	oucla beadage
Penny's dredge	,	13.0	0.00	90	סעבוווכמע טומווכ
Euroda intersection	,	7.0	<u> </u>	00	70 22
E1750 and N1500	7	1.3	<mark>00.0</mark>	55	אמוות נו מכע

From the conclusions of the June 25, 2019 Plant Noise Level Study commissioned by Kaw Valley Companies, Inc.,

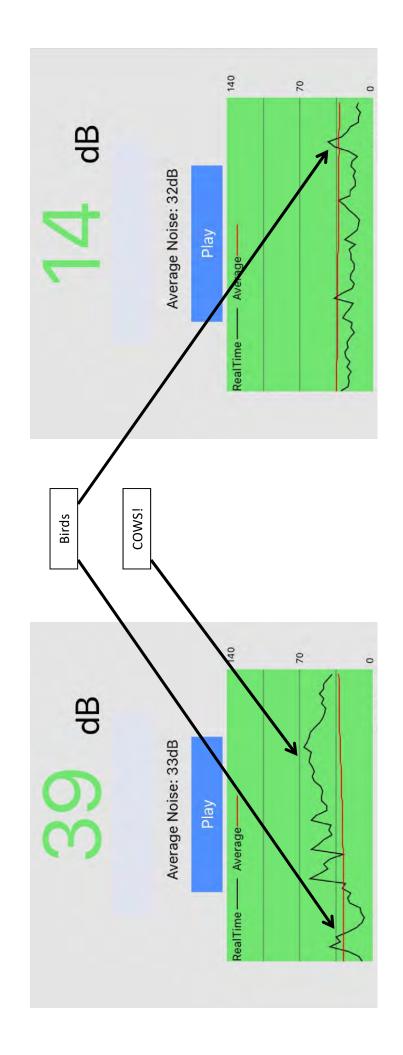
Under the worst-case scenario when the Phase 2 excavation limits would be directly south of the production area, the anticipated sound level at the border with the golf course would be approximately 51.6 dBA, or lower than the allowable limit for a 55 dBA residential zone during daylight hours.

For the existing residences along Golden Road to the north of the site, the worst-case scenario would be the Phase-6 excavation limits with the dredging work along the northern side of Lenape Road. The noise generation calculations indicated that the volume levels along Golden Road would reach a maximum of 35.3 dBA.

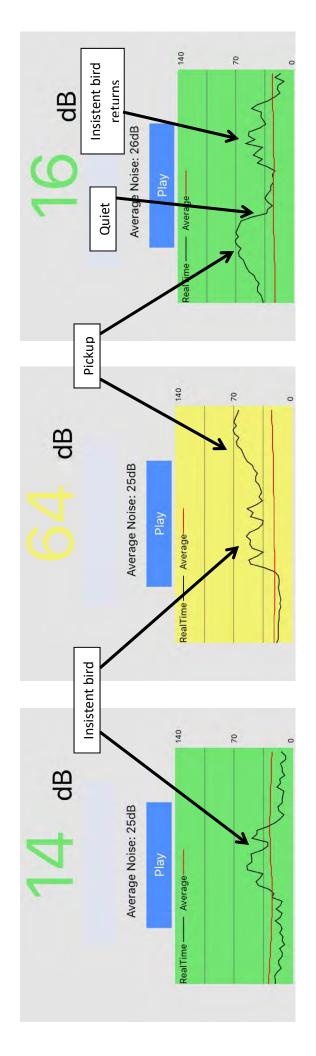


4

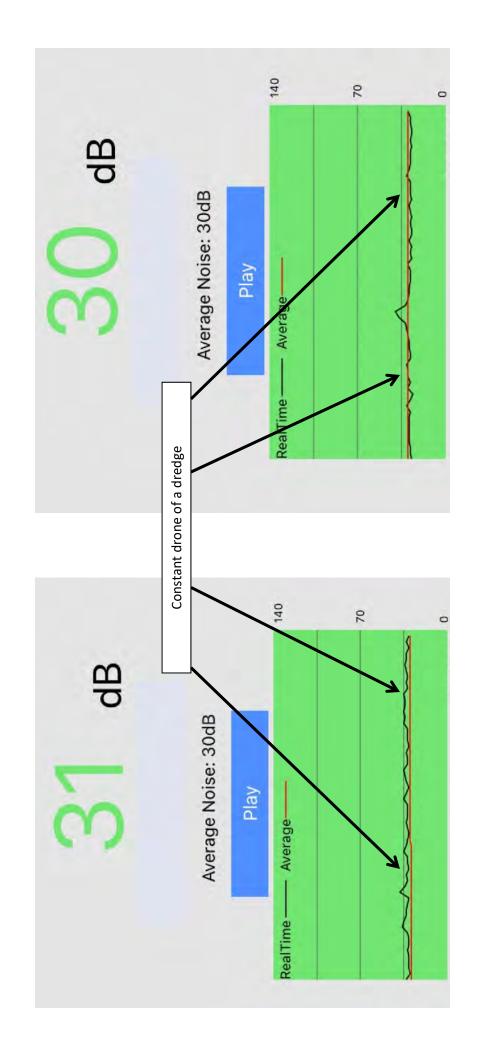
Location 4 - cows and bird song



Location 5 – bird song, bird song followed by pickup, then only the bird song

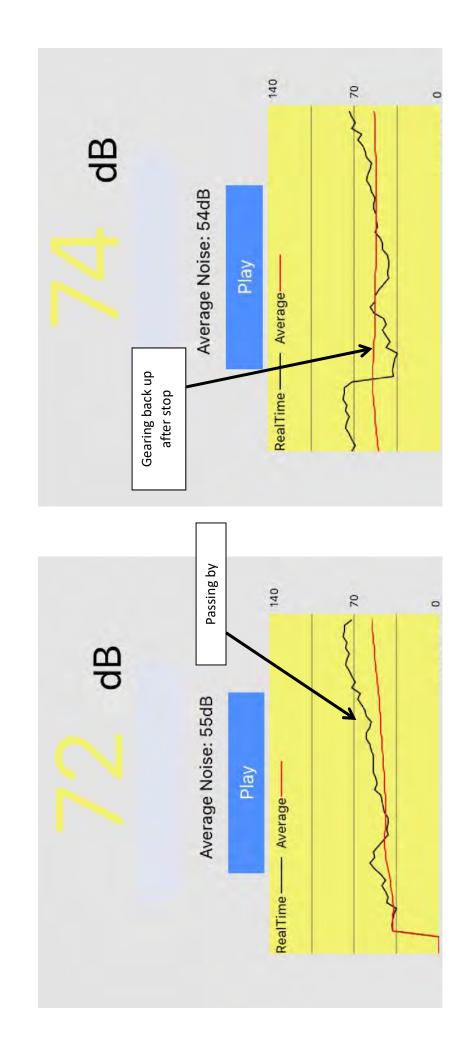


On the wooded bluff, one half mile from Penny's sand dredge in Eudora, KS



_

It passed, stopped at the intersection, then proceeded straight through the intersection Penny's sand truck on E 1750 (Noria Rd) approaching N 1500 Rd in Eudora, KS



LeNape Sand Pit March 1, 2020

(from earlier communication with PZ)

Noise

The noise of the sand mine has been likened to "farm equipment noise", and being at the level of slightly louder than "conversation". This is an inappropriate response as these are not adequate comparisons. Neither one of these is constant for eight to twenty-four hours per day. A sand mine is constant and forever, a combine is temporal (and expected in an agricultural setting).

It has been suggested that a berm and a few trees will be planted to address noise impacts to adjoining properties. There is a science to noise reduction, and this is not it. Any berm must be properly sized, placed and shaped¹. Multiple tree species must be selected that will actually grown in the noise reduction system, be effective for noise reduction throughout the year, and must be of an effective size when operations reach the off-site level . There must be a commitment to maintain their integrity by Kaw Valley as well.

I urge the Planning Commission to seek further information from experts in this field, and place a hard limit on noise levels at the north, south and east boundary of the project, and ensure any noise barrier system is designed by a professional and maintained for the duration of the project if it is approved.

https://arbordayblog.org/landscapedesign/using-trees-and-shrubs-to-reduce-noise/

¹ Example: https://arbordayblog.org/landscapedesign/using-trees-and-shrubs-to-reduce-noise/

Abandoned Mine & Quarry Accidents Claim Several Lives Per Year

geology.com Hobart M. King 10-13 minutes

Home » Minerals » Abandoned Mine and Quarry Accidents

Abandoned Mine and Quarry Accidents Claim Several Lives per Year

Most of the victims are young and went to the quarry to swim or ride an ATV.

Article by: , Ph.D., RPG



Abandoned mine structure: Structures at abandoned mine sites are often dangerous and unstable. They can also house dangerous chemicals or explosives. Stay out of these structures. Bureau of Land Management image.

Dangerous Places!

Abandoned mines and quarries are dangerous places! In a typical year, several people die in accidents that occur in abandoned mines across the United States. Some of these deaths can

be prevented if citizens know the danger of these properties; if landowners make better efforts to warn and limit access; and, if governments have improved programs for reclaiming or regulating them.

Don't swim in quarries!

Drowning is the leading cause of death in abandoned mines and quarries.

Advertisement

If you are a mineral collector, hiker, recreational vehicle rider, swimmer, or curious person, you have no business entering an abandoned or inactive mine or quarry. In almost every instance, you will be trespassing because abandoned mines and quarries are almost always on private property.



newspaper articles are provided at the bottom of this article.

Abandoned mine fatalities map: Deaths in abandoned and inactive mines occur across the United States. Many of them occur in the eastern coal fields, the sand and gravel quarries of the upper Mississippi Valley, and metal mines in the southwest. Image by Geology.com using data from newspaper articles and the Mine Safety and Health Administration. Examples of

Where Do Fatalities Occur?

Deaths in abandoned and inactive mines occur across the United States. Many of them occur in the eastern coal fields, the sand and gravel quarries of the upper Mississippi Valley, limestone quarries in the southeast, or the metal mines in the southwest. Deadly accidents can happen in any type of abandoned mine or quarry. Stay out!

Drowning is the Leading Cause of Death

Drowning is the number one cause of death in abandoned mines. Most people involved in this type of accident went to a quarry for swimming. Quarries are extremely dangerous places to swim. Steep drop-offs, deep water, sharp rocks, flooded equipment, submerged wire, and industrial waste make swimming risky.

Another risk factor is the very cold water. Many quarry operations excavate to depths below the water table and use pumps to keep the mine dry while it is in operation. When mining stops, the pumps are turned off and the quarry floods by the inflow of cold groundwater. This groundwater inflow can keep the guarry water very cold even in late summer.

Jumping or falling into cold water can be fatal - even for a young healthy person. Here is a quote from the <u>National Institute of Health</u> on how a body responds to sudden immersion in cold water...

A fall in skin temperature elicits a powerful cardiorespiratory response, termed "cold shock," comprising an initial gasp, hypertension, and hyperventilation despite a profound hypocapnia. [...] The respiratory responses to skin cooling override both conscious and other autonomic respiratory controls and may act as a precursor to drowning.

Deaths Per State (2001-2017)		
Ohio	25	
Pennsylvania	24	
California	16	
Indiana	12	
New Jersey	12	
Arizona	11	
Illinois	10	
Tennessee	10	
lowa	9	
Massachusetts	9	
Missouri	9	
Wisconsin	9	
Kentucky	8	
North Carolina	8	
New York	7	
Michigan	6	
Vermont	6	
Alaska	5	
Colorado	5	
Florida	5	
Kansas	5	
Minnesota	5	
New Hampshire	5	
Oregon	5	
Utah	5	
Virginia	5	
Connecticut	4	
Maine	4	
Nevada	4	
Washington	4	
West Virginia	4	
Nebraska	3	
Oklahoma	3	
Alabama	2	
Arkansas	2	
Georgia	2	
Louisiana	2	
Maryland	2	
Idaho	1	
Montana	1	
New Mexico	1	
Rhode Island	1	
South Dakota	1	
Texas	1	
Delaware	0	
Hawaii	0	
A CONTRACTOR OF THE PARTY OF TH		
Mississippi	0	
North Dakota	0	
South Carolina Wyoming	0	

Drowning is the Leading Cause of Death

Abandoned Mine Fatalities per Year			
2017	7		
2016	5		
2015	10		
2014	5		
2013	4		
2012	15		
2011	5		
2010	20		
2009	13		
2008	21		
2007	21		
2006	24		
2005	28		
2004	29		
2003	23		
2002	27		
2001	21		
Total	278		

Fatalities by Age (2001-2017)				
Age	Number			
0 - 10	7			
11 - 20	100			
21 - 30	74			
31 - 40	32			
41 - 50	33			
51 - 60	14			
61 - 70	7			
71 - 80	3			
81 - 90	1			
Unknown	7			
Total	278			

Fatalities by (2001-2	
Male	255
Female	23

Causes of Fatalities (2001-2017)		
Drowning	201	
ATVs	23	
Fall	24	
Other	21	
Asphyxiation / Suffocation	9	
Total	278	

Don't Go Swimming in a Quarry

Most deaths that occur in abandoned mines and quarries are drownings. Most of the people who drown didn't fall in by accident. They went there to swim. Don't swim in a quarry. The water can be dangerously cold, there are no lifeguards, no rescue equipment, and it is simply not safe.

ATV Accidents

ATV accidents are the second leading cause of death. Quarries and surface mines are dangerous places to ride an ATV. Riders unfamiliar with the quarry can speed over a quarry's high wall or embankment. Death can result when an ATV is driven too close to a high wall and the rock, previously fractured from blasting, collapses from vibrations or weight. ATV riders have been killed by driving into wire fences at high speeds and losing control on gravel or sand-covered surfaces.

ATV accidents are the second leading cause of death in abandoned mines and quarries.

Stay Out and Stay Alive: Abandoned Mine Safety. Video produced by the Office of Surface Mining Reclamation and Enforcement.

Falls and Asphyxiation

Falls are also deadly. Rock climbing in a mine or quarry is especially dangerous. The rock of a high wall or a mine has been fractured by blasting and can be highly unstable. The rocks that the climber depends upon for support can break free, or the climber's weight can destabilize an entire face of rock. Falls also occur in underground mines when the victim walks across rotted timbers covering a vertical shaft or steps over a ledge while negotiating a dark area.

Asphyxiation typically happens in underground mines. These mines can contain dangerous gases or have low levels of oxygen. Some victims have not realized that they were inhaling dangerous air until it was too late. Other causes of death include electrocution, passage collapse, and rockfalls.

Stay Out and Stay Alive: Abandoned Mine Safety. Video produced by the Office of Surface Mining Reclamation and Enforcement.

Why No Reclamation?

Today all mining operations must be reclaimed when work is completed. Miners are expected to return the land to a condition similar to before the mining was done - or in an alternative condition specified in their approved mining permit.

To assure that reclamation is done, the mining company must post a performance bond. The bond money is used to reclaim the land if the mining company goes bankrupt or fails to reclaim the land as required. Sometimes there is not enough bond money to complete the reclamation work, and that work goes undone.

Many abandoned mines were closed long before permitting and bonds were required. The responsibility to reclaim these mines can fall to the current property owner or to the government. Reclamation is expensive, so many of these jobs have not been completed.



Abandoned iron processing facility in England: The abandoned mines problem is not confined to the United States. Open pits, underground mine entries, mineral processing facilities, and other abandoned works can be found in all parts of the world. The photo above is of an abandoned iron processing facility in North Yorkshire, England. Photograph copyright iStockphoto / PaulaConnelly.

Equipment, Structures, and Mine Openings

The buildings, structures, and equipment left at abandoned mines are also dangerous. The buildings and structures can be old and unstable. Floors can collapse when they are walked on. Supports can be rusted away. Chemicals, explosives, or electrical equipment and other dangers are sometimes left inside. Don't explore equipment and structures at abandoned mines.

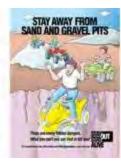
Underground mines are especially dangerous. They are dark inside, have loose rocks on the walls and roof, and there can be deep shafts and tunnels concealed by rotten wood covers. Underground mines are often used as homes by bats, bears, snakes, and other dangerous animals.

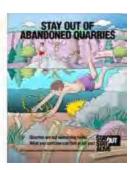
The victims range in age from preschool children to an 85-year-old mining veteran.

People of All Ages Are Killed

Abandoned mine accidents claim the lives of people of all ages. Children sometimes enter mines without supervision, and adults sometimes take children with them when entering an abandoned mine site. A table on this page shows the age distribution of abandoned and inactive mine deaths. Most victims are young and die by drowning. Older victims die from a variety of causes.







MSHA educational books: The "Fatalities by Age" chart on this page shows that young people account for most of the fatal accidents. The <u>Mine Safety and Health Administration</u> has produced educational materials appropriate for school-age children.

If You Know of An Abandoned Mine...

Dangerous mining sites should be reported - especially if you know that there are dangerous activities going on there. You can start by reporting to your local police. Another good place to report is the <u>Office of Surface Mining's contact list</u>.

Spread the Word!

Help educate people in your area about the dangers of abandoned mines. One life saved is worth a lot of effort.

Where Did This Data Come From?

The data used to create the tables and map on this page was obtained from newspaper articles that we encountered in our daily readings and website reports compiled by the Mine Safety and Health Administration. The actual number of fatalities is, without any doubt, higher than the numbers shown in the tables and on the map.

2 Grand Island men found dead in sandpit near Shelton, Nebraska

World-Herald News Service -- Sep 20, 2019

SHELTON, Neb. — Two Grand Island men were found dead in a rural subdivision sandpit pond 2 miles south of Shelton, according to the Buffalo County Sheriff's Office.

At about 9:20 p.m. Thursday, deputies were called to 5 Catfish Cove Place near Shelton. A construction company employee reported having difficulty finding a man who was working on a residential construction site near the sandpit.

An investigation determined that two co-workers, ages 26 and 37, both of Grand Island, were unaccounted for and had not been seen or heard from since early Thursday.

Information suggested that the men may have intended to fish at the sandpit near their work site before starting their workday. Air, ground and water searches of the area took place for three hours. The two men were discovered dead in the water behind the construction site.

Although circumstances surrounding the deaths were not immediately clear, the preliminary investigation indicated no evidence of foul play. The Buffalo County Attorney's Office ordered autopsies on the two victims.

The men's names will be released after next of kin have been notified.

Volunteer fire departments from Shelton, Gibbon and Kearney and the Buffalo County Attorney's Office assisted sheriff's deputies at the scene. Good Samaritan Hospital AirCare and the Kearney Volunteer Fire Department dive team also assisted, as did several local residents.

Accident at Dunlap sand pit ruled a drowning

Twiner-Herald -- February 7, 2018

The state medical examiner has released the cause of death for Christopher McMullen of Madelia, Minn. The official cause of death has been listed as drowning.

The 38-year-old Minnesota man was identified Friday morning as the driver of a Caterpillar pulled from a sand pit at Hallett Materials on Highway 30 southwest of Dunlap.

The Harrison County Sheriff's Office reported that McMullen of Madelia, Minn., was killed when the dump truck he was driving ended up in the quarry.

Rescue crews, including a diving team, discovered the body during the 10-hour recovery on Thursday. A 911 call placed at 5:11 a.m. came from employees who reported finding the truck in the pit, but they did not know where the driver was.

Responders included water rescue (dive teams) from Carroll, Crawford County and Yutan, Neb.; a Council Bluffs-Omaha truck towing operation, Arrow Towing; Woodbine Fire and Rescue and Denison Fire Departments; Crawford Country and Harrison County Sheriff's Offices; Woodbine Police Department; and the Mining, Safety and Health Administration.

According to Woodbine Fire Chief Matt Leaders, the 160-thousand pound dump truck was fully loaded when it entered the sand pit. The weight of the truck and the steep incline of the pit were both challenges to the recovery of the victim.

Hallett Materials has been in the sand and gravel industry since 1918. The company supplies concrete construction materials for a variety of projects, including highway construction.

Corporate spokespersons did not return phone calls asking for comment.

Hoisington Man Drowns at Sandpit

Updated:	Thu	12:02	PM,	Jan	24,	2008

GREAT BEND, Kan. (AP) _ A central Kansas man has drowned while working in a sandpit at the business he owns in Barton County.

Authorities say 64-year-old Robert Deines of Hoisington died Wednesday after accidentally falling from a platform into water in the sandpit at Dartmouth Sand and Gravel.

Barton County Sheriff Buck Causey said Deines and his son were working at the sandpit, which is about 5 miles east of Great Bend. His son left to dump a load of sand and returned to find his father missing.

Deines' son could not reach his father by cell phone and called Great Bend firefighters, who summoned a dive team that found the victim in a matter of minutes.

Authorities still are not sure what caused Deines to fall from the platform.

(Copyright 2008 by The Associated Press. All Rights Reserved.)

Man drowns in sandpit

Lincoln Journal Star -- Jun 19, 2016

A 19-year-old man is dead after drowning in a sandpit, Grand Island officials said in a release Sunday afternoon.

Early Sunday morning around 6:15, responders from the Grand Island Rural Fire Department, Grand Island Fire Department and both the Grand Island and Kearney Dive Rescue Teams went to 3711 E. Bismark Road to help recover the body of Devon Klein.

Around 9:10 a.m., his body was retrieved.

No autopsy will be ordered, and it is not known if alcohol played a part in Klein's death.

Reach the writer at 402-473-7214 or kknight@journalstar.com.

On Twitter @katieknight9.

Water Wells

In this section is a detailed discussion of the risk of ground water contamination and private consumable water wells. Included are:

descriptions of all private water wells in the vicinity

photographs of Kaw Valley's polluted dredge pond in Edwardsville, Kansas

excerpts from the Lenape Sand Quarry proposal

letters and commentary on groundwater contamination concerns

GROUND WATER & WELLS

Abstract:

This section will discuss the risk of ground water contamination and private consumable water wells.

Mark Tinberg

tinbergfarmsllc@hotmail.com

Mark Tinberg is a lifelong resident of Leavenworth County. His personal residence is at 16904 Kreider Road, Bonner Springs, KS in Sherman Township. Mark is farmer along the Kansas River. The farm headquarters is located at 16104 Golden Road, Linwood, KS. He has been farming full-time for 44 years. Mark has vast firsthand knowledge of the Lenape area. Mr. Tinberg is known as being a hardworking fair man with integrity, morals and is trusted amongst his neighbors.

This secon will discuss the risk of groundwater contaminaon in are as surrounding a sand dredging pit.

All of the aDached data were collected from reputable sources, ie. The Kansas Geological Survey, US Army Corps of Engineers, MSHA, Tarrane Resources Company, Journal of the American Water Resource Associaon and documen ts submi ed by Kaw Valley Companies on January 29, 2020 to the Leavenworth County Board of Commissioners.

According to the Kansas Geological Survey interacy e website, there are fourteen water wells near the proposed dredging site. See aDachment 1. The data on each individual well ranges from 20 to 32 stac water depth. Using the data on record, the average stac water level depth is 23 feet. In Kaw Valley's report, they stated the esmated sand depth to be at 50 feet. This is significantly below the groundwater level, the area is also known as the aquifer.

This should be a concern since dredging through the aquifer will provide a direct pathway for contaminants into the aquifer. There will no longer be a natural filtering system. See aDachment 2, LeDer from Mr. Donahue with the Army Corp of Engineers; and aDachment 3 from Dr. Donald Whi emore, Journal of the American Water Resources Associaon.

The KDHE has certain criteria guidelines for surface water quality. See aDachment 4, Kansas Administrav e Regulaons 28-16-28e. P aragraphs 1-8 discuss surface water criteria. ADached are four (see aDachment 5) aerial photos of Kaw Valley's sand mine located 9501 Woodend Road during the summer of 2019. As you can see, Kaw Valley is violang mulple c ondions with in K DHE criteria guidelines; such as item # 4 - surface waters shall be free from floang debris, scum, foam, froth and other floang materials directly or indirectly aribut able to arficial sour ces of polluon; it em #5 - Oil and grease from arficial sour ces shall not cause any visible film or sheen to form upon the surface of the water or upon submerged substrate or adjoining shorelines, nor shall these materials cause a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shorelines.

Kaw Valley is proposing a berm around the perimeter of the project to keep stormwater runoff out of the pit. However, any spill inside of the berm will have direct access to the pit.

In 2011, Kaw Valley proposed a sandpit quarry near the City of Eudora. Due to the potenal of groundwater contaminaon, on February 15, 2011, a geologist with Tarrane Resources Company suggested that Kaw Valley monitor and analyze groundwater near that sand quarry since it would be in close proximity to the well water field for the City of Eudora. See aDachment 6. On April 18, 2011, the City of Eudora requested that Douglas County consider a surety bond for the protecon of the City 's wells. See aDachment 7.

The City of De Soto has water quality concerns with the proposed sandpit. The City of De Soto has requested groundwater monitoring and tesng be performed for the life of the operaon by an independent consultant in four month intervals. See aDached document 8.

The City of Olathe has concerns of groundwater contaminaon, too. See aDachment 9.

There are mulple priv ate water well owners near the proposed Lenape Sand Quarry. Refer back to aDachment 1. These private well owner's sole source of consumable water is from these wells. There is not a municipal or rural water source available in this area. Monitoring and tesng should be considered for these residents at the expense of Kaw Valley Companies.

The downfall of water tesng and monit oring is that once the test shows a contaminate. It is too late, the aquifer is compromised. The only opon no w is a treatment system. If the system is not capable of removing or treang the contaminant, the nearest rural water main line is more than one mile north of Golden Road on 158th street or at 170th street. Safe and quality drinking water is imperave for the residents.

Sound judgement must be exercised when considering the SUP for Kaw Valley Companies, Lenape Sand Quarry.

King, Lonn	
Tinberg, Kenneth Tinberg, Kenneth Tinberg, Kenneth	Spring, Chet E. Spring, Chet Spring, Charles H.
r Army Ammunition Plant Givens, Lawrence Givens, Lawrence	Wells in
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Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 22, NE NE NW, Action: Constructed

			T		
Owner: Tinberg, Ken			Status: Constructed		
Location: T12S, R22E, Sec. 22, NE NE NW			County: Leavenworth		
			3r		
Longitude	: -94.9562	302	Datum NAD 27		
Longitude	: -94.9564	75	Datum NAD 83		
		township	o-range-section-quarter calls.		
		te a new	window and display an		
		Elevatio	on: 790 ft.		
		Est. Yie	ld: 20 gpm.		
9			e: Domestic		
		Other II	D:		
Co., Inc.			License #: 182		
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red: 0 ft., 0 ft	., 0 ft.				
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	Diam: 0 in	n. to 0 ft			
Casing Type: Casing Joints: Diam: 0 in. to					
	Diam: 0 in	n. to 0 ft			
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:					
Screen Type:			Screen Openings:		
Screen-perforated intervals			From: 33 ft to 43 ft		
ais		From: 0 ft to 0 ft From: 0 ft to 0 ft			
	Longitude Longitude Longitude Culated by Su uarter call acc map This linl Il and its neig Co., Inc. PDF format. t PDF Reader itted?: No red: 0 ft., 0 ft er was 0 ft afte d surface: in no.:	Longitude: -94.9562 Longitude: -94.9564 Culated by Survey from uarter call accuracy. map This link will creatl and its neighbors. Co., Inc. PDF format. t PDF Reader, available sitted?: No: red: 0 ft., 0 ft., 0 ft. er was 0 ft after 0 hours publiam: 0 in Diam:	Longitude: -94.9562302 Longitude: -94.956475 culated by Survey from township uarter call accuracy. map This link will create a new ll and its neighbors. Elevation: Elevation: Well Us Other II Co., Inc. PDF format. t PDF Reader, available free from itted?: No: red: 0 ft., 0 ft., 0 ft. er was 0 ft after 0 hours pumping Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft From: From: From: From: From: From:		

	Gravel pack intervals	From: ft to ft				
Gr	Grout Info					
	Grout used:					
Sou	rce of Possible Contamination					
	Source:					
	Direction from well:	Distance: 0	ft			
	Lithologic Log (Log data entered by KGS.)					
	From: 0 ft. to 6 ft.	top soil				
	From: 6 ft. to 34 ft.	clay				
	From: 34 ft. to 43 ft.	coarse grav	el			

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html
Display Programs Updated July 2, 2014
Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 22, NE NE NW, Action: Constructed

Location Info						
Owner: Tinberg Farms				Status: Constructed		
Location: T12S, R22E, Se	Location: T12S, R22E, Sec. 22, NE NE NW			County: Leavenworth		
Directions: from Lenape:	.5 mi W					
Latitude : 38.9991721	Longitude: -94	.9562	302	Datum NAD 27		
Latitude : 38.9991761	Longitude: -94	.9564	75	Datum NAD 83		
	Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.					
View well on interactive interactive map of this wel			te a new	window and display an		
General Info						
Well Depth: 48 ft.			Elevatio	n: ft.		
Static Water Level: 25 ft.			Est. Yiel	d: 60 gpm.		
Comp. Date: 06-Jun-1988			Well Use	e: Domestic		
DWR Applic. #:			Other II) :		
Driller Info						
Driller: Strader Drilling C	o., Inc.			License #: 182		
Scanned Form						
View scan of this form in I	PDF format.					
You will need the Acrobat	PDF Reader, ava	ilable	free from	n Adobe, to read this file.		
Chemical Sample Submit Water Well disinfected?:						
Ground water encounter	ed: 40 ft., 0 ft., 0) ft.				
Pump test data: Well water	was 0 ft after 0 h	ours 1	pumping	0 gpm		
Casing Info						
Casing Type: PVC		1	m: 5 in. to 38 ft			
Casing Joints:	Casing Joints.			m: 0 in. to 0 ft m: 0 in. to 0 ft		
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:						
Screen and Perforation Info						
Screen Type: PVC			Screen	Openings:		
			III.	38 ft to 48 ft		
Screen-perforated interv	Screen-perforated intervals			From: 0 ft to 0 ft From: 0 ft to 0 ft		
				0 11 10 0 11		

Gravel pack intervals		Fro	m: ft to ft		
Grout Info					
Grout used: Bentonite		Fron	1: 3 to 23 ft 1: 0 to 0 ft 1: 0 to 0 ft		
Source of Possible Contamina	tion				
Source: Livestock pens					
Direction from well:		Di	stance: 0 ft		
Lithologic Log (Log data entered by KGS.)					
From: 0 ft. to 4 ft.	top soil				
From: 4 ft. to 23 ft.	silty clay				
From: 23 ft. to 40 ft.	clay, blue				
From: 40 ft. to 46 ft.	fine sand, coarse sand, medium gravel, brown				
From: 46 ft. to 48 ft.	limestone, yellow, loose				
From: 48 ft. to ft.	limestone, gray				

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.





Specific Water Well Detail

Well T12S, R22E, Sec. 22, SW SW NE, Action: Constructed

Lo	Location Info					
	Owner: Tinberg Farms Status: Constructed					
	Location: T12S, R22E, Sec. 22, SW SW NE				County: Leavenworth	
	Directions: from Lenape: .5 mi S, .25 mi W					
	Latitude : 38.9937194	Longitude: -94.	9539	203	Datum NAD 27	
		Longitude: -94.			Datum NAD 83	
	Longitude and latitude calcu	lated by Survey	from		-range-section-quarter calls.	
	Only good to within the qua	rter call accuracy	7.			
	View well on interactive m interactive map of this well			ite a new v	window and display an	
Ge	neral Info					
	Well Depth: 40 ft.			Elevation	1: ft.	
	Static Water Level: 20 ft.			Est. Yiel	d: 40 gpm.	
	Comp. Date: 03-Jun-1988			Well Use	: Domestic	
	DWR Applic. #:			Other ID) :	
Dri	iller Info					
	Driller: Strader Drilling Co	., Inc.			License #: 182	
Sca	nned Form					
	View scan of this form in Pl	DF format.				
	You will need the Acrobat I	<u>PDF Reader</u> , avai	lable	free from	Adobe, to read this file.	
	Chemical Sample Submitt Water Well disinfected?:	ed?: No				
	Ground water encountered	d: 25 ft., 0 ft., 0	ft.			
	Pump test data: Well water	was 0 ft after 0 he	ours	pumping () gpm	
Cas	sing Info					
	Casing Type: PVC	ll.		1: 5 in. to		
	Casing Joints:	ll.		Diam: 0 in. to 0 ft		
	Diam: 0 in. to 0 ft					
	Casing height above land surface: in Casing Weight: lbs/ft					
	Wall thickness or gauge no.:					
Screen and Perforation Info						
	Screen Type: PVC		Scr	een Open	ings: Saw cut	
	From: 25 ft to 40 ft					
	Screen-perforated interval	ls	III .	m: 0 ft to		
	From:			om: 0 ft to 0 ft		

	Gravel pack intervals	vals From: ft to ft				
Gr	Grout Info					
	Grout used: Bentonite	From: 0 to 20 ft From: 0 to 0 ft From: 0 to 0 ft				
Sou	rce of Possible Contamina	tion				
	Source: Septic Tank					
	Direction from well:	m well: Distance: 0 ft				
	Lithologic Log (Log data entered by KGS.)					
	From: 0 ft. to 5 ft.	top soil				
	From: 5 ft. to 18 ft.	silty clay, brown				
	From: 18 ft. to 25 ft.	fine sand, brown				
	From: 25 ft. to 30 ft.	fine sand, coarse sand, medium gravel, brown				
	From: 30 ft. to 40 ft.	fine sand, coarse sand, medium gravel, blue				

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 22, NE NE SW, Action: Constructed

Location Info					
Owner: Olander, Jay			Status: Constructed		
Location: T12S, R22E, Se	c. 22, NE NE SW		County: Leavenworth		
Directions: from Lenape: .	5 mi S				
Latitude : 38.9918997	Longitude: -94.9562	531	Datum NAD 27		
Latitude : 38.9919038	Longitude: -94.9564	979 Datum NAD 83			
Longitude and latitude calc Only good to within the qu		township-	range-section-quarter calls.		
View well on interactive rinteractive map of this well		te a new w	rindow and display an		
General Info					
Well Depth: 50 ft.		Elevation	: ft.		
Static Water Level: 23 ft.		Est. Yield	: 50 gpm.		
Comp. Date: 15-Jun-1989		Well Use:	Domestic		
DWR Applic. #:		Other ID:	:		
Driller Info					
Driller: Strader Drilling Co	o., Inc.		License #: 182		
Scanned Form					
View scan of this form in F	DF format.				
You will need the Acrobat	PDF Reader, available	free from	Adobe, to read this file.		
Chemical Sample Submit Water Well disinfected?:	ted?: No				
Ground water encountered	ed: 0 ft., 0 ft., 0 ft.				
Pump test data: Well water	was 0 ft after 0 hours	pumping 0	gpm		
Casing Info					
Casing Type: PVC	ll ll	am: 5 in. to 40 ft			
Casing Joints:	ll ll	am: 0 in. to 0 ft am: 0 in. to 0 ft			
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:					
Screen and Perforation Info					
Screen Type: PVC	Scr	een Openi	ngs: Saw cut		
	ll ll	m: 40 ft to	ll l		
Screen-perforated interva	ll ll	m: 0 ft to 0	II.		
		From: 0 ft to 0 ft			

Gravel pack intervals	From: ft to ft			
Grout Info				
Grout used:	From: 4 to 24 ft From: 0 to 0 ft From: 0 to 0 ft			
Source of Possible Contaminati	ion			
Source: Feedyard				
Direction from well:	Distance: 0 ft			
Lithologic Log (Log data entered by KGS.)				
From: 0 ft. to 4 ft.	top soil			
From: 4 ft. to 22 ft.	clay, brown			
From: 22 ft. to 50 ft.	fine sand, coarse sand, medium pea gravel			

Comments to webadmin@kgs.ku.edu
URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html
Display Programs Updated July 2, 2014
Data added continuously.





Specific Water Well Detail

Well T12S, R22E, Sec. 21, NE NW SW, Action: Constructed

Location Info					
Owner: Tinberg Farms	Status: Constructed				
Location: T12S, R22E, Sec		County: Leavenworth			
Directions: from Lenape: 1	.5 mi W				
Latitude : 38.9919324	Longitude: -94.9795	5384	Datum NAD 27		
Latitude : 38.9919364	Longitude: -94.9797	839 Datum NAD 83			
Longitude and latitude calc Only good to within the qua		township	-range-section-quarter calls		
View well on interactive minteractive map of this well		ate a new v	window and display an		
General Info					
Well Depth: 60 ft.		Elevation	n: ft.		
Static Water Level: 26 ft.		Est. Yield	d: 50 gpm.		
Comp. Date: 07-Jan-1997		Well Use	: Domestic		
DWR Applic. #:		Other ID):		
Priller Info					
Driller: Strader Drilling Co	o., Inc.		License #: 182		
canned Form					
View scan of this form in P	DF format.				
You will need the Acrobat	You will need the Acrobat PDF Reader, available free from Adobe, to read this file.				
Chemical Sample Submite Water Well disinfected?:	ted?: No				
Ground water encountered	ed: 0 ft., 0 ft., 0 ft.				
Pump test data: Well water	was 0 ft after 0 hours	pumping () gpm		
Casing Info					
Casing Type: PVC		am: 5 in. to 50 ft			
Casing Joints:	- 11	n: 0 in. to			
Casing height above land Casing Weight: lbs/ft Wall thickness or gauge n	surface: in	n: 0 in. to	0 π		
Screen and Perforation Info					
Screen Type: PVC	Scr	een Open	ings: Saw cut		
		om: 50 ft to			
Screen-perforated interva	ll ll	om: 0 ft to			
	Fro	m: 0 ft to	0 ft		

Gravel pack intervals	Fro	m: ft to ft			
Grout Info					
Grout used: Bentonite		From: 4 to 24 ft From: 0 to 0 ft From: 0 to 0 ft			
Source of Possible Contaminat	ion				
Source: OTHER	Source: OTHER				
Direction from well: S		Distance: 300 ft			
Lithologic Log (Log data entered by KGS.)					
From: 0 ft. to 5 ft.	top soil				
From: 5 ft. to 9 ft.	silty clay, brown				
From: 9 ft. to 38 ft.	fine silt, brown				
From: 38 ft. to 41 ft.	silty clay, blue				
From: 41 ft. to 49 ft.	fine sand, blue				
From: 49 ft. to 60 ft.	fine sand, coarse san	d, medium gravel, blue			

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 21, NW NW SE, Action: Constructed

Location Info					
Owner: Oelschlager, Robert	Owner: Oelschlager, Robert				
Location: T12S, R22E, Sec.	Location: T12S, R22E, Sec. 21, NW NW SE				
Directions: from Lenape: 1.2	25 mi W, .5 mi S				
Latitude : 38.9919168	Longitude: -94.9725	566	Datum NAD 27		
Latitude : 38.9919208	Longitude: -94.9728	Datum NAD 83			
Longitude and latitude calcul Only good to within the quar		township	-range-section-quarter calls		
View well on interactive mainteractive map of this well a		te a new v	vindow and display an		
General Info					
Well Depth: 45 ft.		Elevation	n: ft.		
Static Water Level: 22 ft.		Est. Yiel	d: 50 gpm.		
Comp. Date: 25-Aug-1986		Well Use	e: Domestic		
DWR Applic. #:		Other II):		
Driller Info					
Driller: Strader Drilling Co.,	Driller: Strader Drilling Co., Inc. License #: 182				
Scanned Form					
View scan of this form in PD	View scan of this form in PDF format.				
You will need the Acrobat P	You will need the Acrobat PDF Reader, available free from Adobe, to read this file.				
Chemical Sample Submitte Water Well disinfected?:	ed?: No				
Ground water encountered	: 0 ft., 0 ft., 0 ft.				
Pump test data: Well water w	vas 0 ft after 0 hours p	oumping () gpm		
Casing Info					
Casing Type: PVC	ll ll	am: 5 in. to 35 ft			
Casing Joints:	- 11	iam: 0 in. to 0 ft iam: 0 in. to 0 ft			
Casing height above land so Casing Weight: lbs/ft Wall thickness or gauge no	urface: in	: 0 in. to	υ π		
Screen and Perforation Info					
Screen Type: PVC	Scr	een Open	ings: Saw cut		
		m: 35 ft to			
Screen-perforated intervals		m: 0 ft to			
	Fro	From: 0 ft to 0 ft			

Gravel pack intervals	From: ft to ft		
Grout Info			
Grout used: Bentonite	From: 0 to 10 ft From: 0 to 0 ft From: 0 to 0 ft		
Source of Possible Contamination			
Source: Septic Tank			
Direction from well:	Distance: 0 ft		
Lithologic Log (Log data entered by KGS.)			
From: 0 ft. to 15 ft.	clay, brown		
From: 15 ft. to 25 ft.	fine sand		
From: 25 ft. to 40 ft.	fine sand, coarse, medium, brown		
From: 40 ft. to 45 ft.	fine sand, coarse, medium, blue		

Kansas Geological Survey Comments to webadmin@kgs.ku.edu URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 28, NW NE NE, Action: Constructed

Location Info						
Owner: Rieke, Walter	Owner: Rieke, Walter					
Location: T12S, R22E, Sec.		County: Leavenworth				
Directions: from DeSoto: .5	mi N					
Latitude : 38.9846525	L ongitude: -94.9679	Datum NAD 27				
Latitude : 38.9846566	L ongitude: -94.9682	062	Datum NAD 83			
Longitude and latitude calcul- Only good to within the quart		township-	range-section-quarter calls			
View well on interactive man interactive map of this well as		te a new w	indow and display an			
General Info						
Well Depth: 50 ft.		Elevation	: ft.			
Static Water Level: 25 ft.		Est. Yield	l: 60 gpm.			
Comp. Date: 05-Jun-1990		Well Use:	Domestic			
DWR Applic. #:		Other ID	:			
Oriller Info						
Driller: Strader Drilling Co.,	Inc.		License #: 182			
Scanned Form						
View scan of this form in PD	View scan of this form in PDF format.					
You will need the Acrobat PI	You will need the Acrobat PDF Reader, available free from Adobe, to read this file.					
Chemical Sample Submitted Water Well disinfected?:	d?: No					
Ground water encountered	: 0 ft., 0 ft., 0 ft.					
Pump test data: Well water w	as 0 ft after 0 hours	pumping 0	gpm			
Casing Info						
Casing Type: PVC		: 5 in. to 4				
Casing Joints:	ll ll	Diam: 0 in. to 0 ft Diam: 0 in. to 0 ft				
Casing height above land su Casing Weight: lbs/ft Wall thickness or gauge no.	urface: in	1; U in. to () II			
Screen and Perforation Info						
Screen Type: PVC	Scr	een Openi	ings: Saw cut			
		m: 40 ft to	<u> </u>			
Screen-perforated intervals	ll l	m: 0 ft to				
	Fro	From: 0 ft to 0 ft				

Gravel pack intervals	From: ft to ft				
Grout Info					
Grout used:	From: 4 to 24 ft From: 0 to 0 ft From: 0 to 0 ft				
Source of Possible Contamination					
Source: Septic Tank					
Direction from well: Distance: 0 ft					
Lithologic Log (Log data entered by KGS.)					
From: 0 ft. to 27 ft.	clay, brown, silty				
From: 27 ft. to 33 ft.	fine sand, brown				
From: 33 ft. to 41 ft.	fine sand, coarse sand, brown				
From: 41 ft. to 44 ft.	clay, blue				
From: 44 ft. to 50 ft.	fine sand, coarse sand, medium brown				

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 21, SE SW NE, Action: Constructed

Location Info					
Owner: Givens, Lawrence	Owner: Givens, Lawrence				
Location: T12S, R22E, Sec	Location: T12S, R22E, Sec. 21, SE SW NE				
Directions: from Lenape: 1	.5 mi W				
Latitude : 38.9937279	Longitude: -94.9702	131	Datum NAD 27		
Latitude : 38.9937318	Longitude: -94.9704	Datum NAD 83			
Longitude and latitude calc Only good to within the qua		township-	range-section-quarter calls.		
View well on interactive minteractive map of this well		te a new w	rindow and display an		
General Info					
Well Depth: 52 ft.		Elevation	: ft.		
Static Water Level: 20 ft.		Est. Yield	: 40 gpm.		
Comp. Date: 19-Jul-1988		Well Use:	Domestic		
DWR Applic. #:		Other ID:			
Driller Info					
Driller: Strader Drilling Co	o., Inc.		License #: 182		
Scanned Form					
View scan of this form in P	DF format.				
You will need the Acrobat	PDF Reader, available	free from	Adobe, to read this file.		
Chemical Sample Submit Water Well disinfected?:	ted?: No				
Ground water encountered	ed: 34 ft., 0 ft., 0 ft.				
Pump test data: Well water	was 0 ft after 0 hours	pumping 0	gpm		
Casing Info					
Casing Type: PVC	ll l	iam: 5 in. to 34 ft			
Casing Joints:	ll ll	iam: 5 in. to 52 ft iam: 0 in. to 0 ft			
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:					
Screen and Perforation Info					
Screen Type: PVC	Scr	een Openi	ngs: Saw cut		
		From: 34 ft to 43 ft			
Screen-perforated interva	ll ll	rom: 0 ft to 0 ft			
	Fro	From: 0 ft to 0 ft			

Gravel pack intervals	From: ft to ft		
Grout Info			
Grout used: Bentonite	From: 4 to 24 ft From: 0 to 0 ft From: 0 to 0 ft		
Source of Possible Contamination			
Source: Septic Tank			
Direction from well:	Distance: 0 ft		
Lithologic Log (Log data entered by KGS.)			
From: 0 ft. to 4 ft.	top soil		
From: 4 ft. to 23 ft.	silty clay, brown		
From: 23 ft. to 34 ft.	fine sand, brown		
From: 34 ft. to 42 ft.	fine sand, coarse sand, medium pea gravel		
From: 42 ft. to 52 ft.	limestone, gray		

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.





Specific Water Well Detail

Well T12S, R22E, Sec. 21, SE NW NE, Action: Constructed

Lo	Location Info					
	Owner: Givens, Lawrence				Status: Constructed	
	Location: T12S, R22E, Sec. 21, SE NW NE				County: Leavenworth	
	Directions: from Lenape: 1	mi W				
	Latitude : 38.9973604	Longitude: -94.	97018	808	Datum NAD 27	
	Latitude : 38.9973643	Longitude: -94 .	97042	26	Datum NAD 83	
	Longitude and latitude calcu Only good to within the qua			township	-range-section-quarter calls.	
	View well on interactive m interactive map of this well			e a new v	vindow and display an	
Ge	neral Info					
	Well Depth: 45 ft.			Elevatio	n: 800 ft.	
	Static Water Level: 20 ft.			Est. Yiel	d: 12 gpm.	
	Comp. Date: 28-Dec-1978			Well Use	e: Domestic	
	DWR Applic. #:			Other II):	
Dri	iller Info					
	Driller: Raphael Breuer, Inc. License #: 174				icense #: 174	
Sca	nned Form					
	View scan of this form in Pl	DF format.				
	You will need the Acrobat PDF Reader, available free from Adobe, to read this file.					
	Chemical Sample Submitt Water Well disinfected?:	ed?:				
Cas	sing Info					
	Casing Type: Casing Joints: Diam: in. to ft				;	
	Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:					
Scr	Screen and Perforation Info					
	Screen Type: Screen Openings:			n Openings:		
	Screen-perforated interval	ls		From	: ft to ft	
	Gravel pack intervals			From	: ft to ft	
Grout Info						
	Grout used: From: to ft					
Sou	Source of Possible Contamination					

Source:				
Direction from well:	Distance: ft			
Lithologic Log Log data entered by KGS.)				
From: 0 ft. to 25 ft.	silt			
From: 25 ft. to 30 ft.	sand and gravel			
From: 30 ft. to 45 ft.	lime			

Kansas Geological Survey Comments to webadmin@kgs.ku.edu URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html Display Programs Updated July 2, 2014 Data added continuously.





Specific Water Well Detail

Well T12S, R22E, Sec. 27, NW NW NW, Action: Constructed

Location Info					
Owner: Hill, Bob			Status: Constructed		
Location: T12S, R22E, Sec. 27, NW NW NW			County: Leavenworth		
Directions: 11578 166th St, River Dunes Golf Course - from DeSoto: .5 mi N					
Latitude : 38.9846468	Longitude: -94.9633061		Datum NAD 27		
Latitude : 38.984651	Longitude: -94.9635511		Datum NAD 83		
Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.					
View well on interactive map This link will create a new window and display an interactive map of this well and its neighbors.					
General Info					
Well Depth: 59 ft.	Well Depth: 59 ft. Elevation		n: ft.		
Static Water Level: 20 ft.	Static Water Level: 20 ft.		Est. Yield: 150 gpm.		
Comp. Date: 12-Aug-1999	Comp. Date: 12-Aug-1999		Well Use: Irrigation		
DWR Applic. #:	DWR Applic. #:		Other ID:		
Links					
No Wizard information ava	No Wizard information available.				
View info from WIMAS Water Right Data base					
Driller Info					
Driller: Strader Drilling Co., Inc.			License #: 182		
Scanned Form					
View form(s) on screen		Downloa	d scan(s)		
The download files contain one or more TIFF images compressed into a ZIP archive. Your browser may be already set up to decompress these files. The TIFFs are 300 dpi archival-quality scans of the WWC5 forms and can be viewed by software like Adobe PhotoShop.					
Chemical Sample Submitted?: Water Well disinfected?:					
Casing Info					
Casing Type: Casing Joints:	Dia	n: in. to f	t		
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:					
Screen and Perforation Info					
Screen Type:	Screen Type: Screen Openings:				

		1		
Screen-perforated into	ervals	From: ft to ft		
Gravel pack intervals		From: ft to ft		
Grout Info				
Grout used: From: to ft				
Source of Possible Contan	nination			
Source:				
Direction from well: Distance: ft				
Lithologic Log (Log data entered by KGS.)				
From: 0 ft. to 16 ft. silt, brown				
From: 16 ft. to 21 ft.	fine sand brown			
From: 21 ft. to 27 ft.	fine sand, coarse sand, brown			
From: 27 ft. to 32 ft.	fine sand, coarse sand, medium gravel, blue			
From: 32 ft. to 49 ft.	fine sand, coarse sand, medium pea gravel, blue			
From: 49 ft. to 55 ft.	fine sand, coarse sand, medium pea (1/4 by 3/8 inch), blue			
From: 55 ft. to 59 ft.	fine sand, coarse sand, pea chert (1/4 by 3/4 inch)			

Kansas Geological Survey

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 22, NW NW SE, Action: Constructed

Location Info								
Owner: Dabbs, Helen Status: Constructed								
Location: T12S, R22E, Sec	Co	ounty: Leavenworth						
Directions: Lenape	Directions: Lenape							
Latitude : 38.9919001	Longitude: -94.9539	222 Da	Datum NAD 27					
Latitude : 38.9919042	Longitude: -94.9541	569 Da	atum NAD 83					
	Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.							
View well on interactive n interactive map of this well		te a new win	dow and display an					
General Info								
Well Depth: 50 ft.		Elevation:	ft.					
Static Water Level: 23 ft.		Est. Yield:	50 gpm.					
Comp. Date: 27-Dec-1988		Well Use: I	Domestic					
DWR Applic. #:		Other ID:						
Driller Info								
Driller: Strader Drilling Co	o., Inc.		icense #: 182					
Scanned Form								
View scan of this form in P	DF format.							
You will need the Acrobat	PDF Reader, available	free from A	dobe, to read this file.					
Chemical Sample Submitte Water Well disinfected?:	ted?: No							
Ground water encountere	d: 30 ft., 0 ft., 0 ft.							
Pump test data: Well water	was 0 ft after 0 hours j	oumping 0 g	pm					
Casing Info								
Casing Type: PVC	ll ll	: 5 in. to 40	l l					
Casing Joints:	ll ll	: 0 in. to 0 f : 0 in. to 0 f	l l					
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:								
Screen and Perforation Info	Screen and Perforation Info							
Screen Type: PVC	Scr	een Opening	gs: Saw cut					
	ll l	m: 40 ft to 5						
Screen-perforated interva	II.	rom: 0 ft to 0 ft						
	Fro	rom: 0 ft to 0 ft						

	Gravel pack intervals From: ft to ft			
Gr	out Info			
	Grout used: Bentonite		Fr	om: 4 to 24 ft om: 0 to 0 ft om: 0 to 0 ft
Sou	urce of Possible Contaminat	ion		
	Source: Septic Tank			
	Direction from well:			Distance: 0 ft
	hologic Log og data entered by KGS.)			
	From: 0 ft. to 4 ft.	top soil		
	From: 4 ft. to 18 ft.	clay, brown		
	From: 18 ft. to 50 ft.	fine sand, coarse sand, medium gravel, blue		

Kansas Geological Survey

Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html
Display Programs Updated July 2, 2014
Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 21, NE SE NW, Action: Constructed

Location Info								
Owner: Sunflower Army Ammunition Plant Status: Constructed								
Location: T12S, R22E, S	Location: T12S, R22E, Sec. 21, NE SE NW							
Directions: from DeSotor	Directions: from DeSoto: .5 mi NW							
Latitude : 38.9955583	Latitude : 38.9955583 Longitude: -94.97485							
Latitude : 38.9955622	Longitud	e: -94.9751016	Datum NAD 83					
	Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.							
View well on interactive interactive map of this we			ew window and display an					
General Info								
Well Depth: 53 ft.	Elevati	on: 795 ft.						
Static Water Level: 22 ft	Est. Yie	e ld: gpm.						
Comp. Date: 03-Feb-198	2 Well U	se: Monitoring w	vell/observation/piezometer					
DWR Applic. #:	Other 1	D: 8-82						
Driller Info								
Driller: Layne-Western		I	License #: 149					
Scanned Form								
View scan of this form in	PDF format.							
You will need the Acroba	t PDF Reade	r, available free	from Adobe, to read this file.					
Chemical Sample Subm Water Well disinfected?								
Ground water encounter	red: 0 ft., 0	ft., 0 ft.						
Pump test data: Well water	er was 0 ft aft	ter 0 hours pump	ing 0 gpm					
Casing Info								
Casing Type:		Diam: 0 in. to 0						
Casing Joints:		Diam: 0 in. to 0 Diam: 0 in. to 0						
Casing height above land surface: in Casing Weight: lbs/ft Wall thickness or gauge no.:								
Screen and Perforation Info								
Screen Type:		Scr	reen Openings:					
Screen-perforated interv	vals	Fro	From: 36 ft to 51 ft From: 0 ft to 0 ft From: 0 ft to 0 ft					

Gravel pack intervals			From: ft to ft		
Grout Info					
	From: 0	From: 0 to 0 ft			
Grout used:	ll l	From: 0 to 0 ft			
	From: 0	to U) tt		
Source of Possible Contamin	ation				
Source:					
Direction from well: Distance: 0 ft					
Lithologic Log (Log data entered by KGS.)					
From: 0 ft. to 11 ft.	From: 0 ft. to 11 ft. brown silty sandy clay				
From: 11 ft. to 23 ft.	brown fine to very fine sand				
From: 23 ft. to 28 ft.	brown fine to very fine with medium and coarse sand				
From: 28 ft. to 30 ft.	brownish gray silty clay				
From: 30 ft. to 42 ft.	gray medium to fine sand, trace coarse sand				
From: 42 ft. to 51.2 ft.	gray medium to coarse sand, trace fine sand				
From: 51.2 ft. to 53 ft.	gray shaley limestone				

Kansas Geological Survey Comments to webadmin@kgs.ku.edu URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014

Data added continuously.



Water Well Database Query

Specific Water Well Detail

Well T12S, R22E, Sec. 21, NE NE SE, Action: Constructed

Location Info							
Owner: Sunflower Arm	y Ammunition Plant	Status: Constructed					
Location: T12S, R22E,	,	County: Leavenworth					
	Directions: from DeSoto: .5 mi NW						
Latitude : 38.9919012	Longitude: -94.9655	5747 Datum NAD 27					
Latitude : 38.9919052	Longitude: -94.9658	Datum NAD 83					
Longitude and latitude ca Only good to within the		n township-range-section-quarter calls.					
View well on interactive interactive map of this w		ate a new window and display an					
General Info							
Well Depth: 58 ft.	Elevation: 781 ft.						
Static Water Level: 24	ft. Est. Yield: gpm.						
Comp. Date: 03-Feb-19	82 Well Use: Monito	ring well/observation/piezometer					
DWR Applic. #:	Other ID: 11-82						
Driller Info							
Driller: Layne-Western		License #: 149					
Scanned Form							
View scan of this form in	n PDF format.						
You will need the Acrob	at PDF Reader, available	e free from Adobe, to read this file.					
Chemical Sample Subn Water Well disinfected							
Ground water encounte	ered: 0 ft. , 0 ft. , 0 ft.						
Pump test data: Well was	ter was 0 ft after 0 hours	pumping 0 gpm					
Casing Info							
Casing Type:	Diam: 0 i	n. to 0 ft					
Casing Type. Casing Joints:	Diam: 0 i						
	Diam: 0 i	n. to U ft					
Casing height above lar Casing Weight: lbs/ft	ia surface: 1n						
Wall thickness or gauge	e no.:						
Screen and Perforation Inf	0						
Screen Type:		Screen Openings:					
		From: 42 ft to 57 ft					
Screen-perforated inter	vals	From: 0 ft to 0 ft					
		From: 0 ft to 0 ft					

Gravel pack interval	s		From: ft to ft			
Grout Info						
Grout used:		From: 0 to 0 ft From: 0 to 0 ft From: 0 to 0 ft				
Source of Possible Conta	mination					
Source:						
Direction from well:			Distance: 0 ft			
Lithologic Log (Log data entered by KGS	.)					
From: 0 ft. to .3 ft.	top soil					
From: .3 ft. to .8 ft.	: .3 ft. to .8 ft. gravel					
From: .8 ft. to 9 ft.	From: .8 ft. to 9 ft. brown silty clay, moist, medium					
From: 9 ft. to 11 ft.	ft. light brown silty sandy clay, medium					
From: 11 ft. to 24 ft.	brown fine to ve	ery fine sand	sand			
From: 24 ft. to 33 ft.	33 ft. brown medium to fine sand, trace coarse sand and gra					
From: 33 ft. to 35.4 ft.	gray silty sandy clay					
From: 35.4 ft. to 40 ft.	gray medium sand with fine sand, trace coarse sand					
From: 40 ft. to 45 ft.	gray medium sand with fine sand, trace coarse sand and fine sand					
From: 45 ft. to 52 ft.	gray medium sand, trace coarse and fine sand					
From: 52 ft. to 57.1 ft.	gray medium to coarse sand with trace fine sand and gravel					
From: 57.1 ft. to 58 ft.	gray shaley limestone					

Kansas Geological Survey Comments to webadmin@kgs.ku.edu

URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html

Display Programs Updated July 2, 2014 Data added continuously.



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The KDHE has reviewed the project application material and determined the project has the following water pollutant discharge sources:

1. Excavating activities, equipment and materials storage, equipment fueling and maintenance, etc.

Discharges from these sources if not minimized or otherwise controlled may cause violations of the provisions of Kansas Water Quality Standards found at KAR 28-16-28 et seq. The proposed project involves impacts to wetlands <u>not</u> described in the Kansas Surface Water Register [KAR 28-16-28(g)] as having designated uses. Additionally, once filled, they will no longer be waters of the state. Therefore, applicable water quality protection measures here within this certification shall be implemented to assure any drainage off the site does not cause a water quality complaint or a standard violation.

- 1) This certification shall be posted on site through the duration of the project.
- 2) KDHE Notification: Permit recipients shall email KDHE at NPS@kdheks.gov when construction starts.
- 3) Kaw Valley Companies, Inc. shall avoid or control the discharge of suspended solids from riparian and instream activities so that the project does not cause:
 - a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [KAR 28-16-28e(b)(1)].
 - b. Any surface waters of the state within and below the project area to contain discarded solid material, including trash, garbage rubbish, offal, grass clippings, discarded building or construction materials, car bodies, tires, wire and other unwanted or discarded materials [KAR 28-16-28e(b)(3)].
 - c. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28c(b)(4)].
 - d. Any surface waters of the state within or below the project to have of deposits of sludge or fine solids [KAR 28-16-28e(b)(6)].
 - e. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8).

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- 7) The activity shall avoid or control the discharge of plant nutrients from starter fertilizer application, removal of permanent riparian vegetation, so that the project does not cause:
 - a. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28e(b)(4)].
 - b. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8)].
- 8) Kaw Valley Companies, Inc. shall prepare a water quality protection plan describing the actions that will be taken to comply with Certification Conditions 3-7. The SWPP referenced in Condition 4 above will suffice. The applicant is strongly encouraged to also address the following items along with the SWP3:
 - a. Riparian Areas: Minimize removal or disturbance of riparian areas (areas adjacent to water bodies). Strongly consider using native vegetation endemic to the area.
 - b. Fertilizer: Apply starter fertilizer according to label directions while avoiding immediately before heavy rain.
 - c. Solid Waste: All waste materials produced by the construction project shall be disposed of in accordance with the provisions of the Kansas solid waste management statutes and regulations (K.S.A. 65-3401 and K.A.R. 28-29-1 ct. seq.) or applicable local rules. Good housekeeping including personal refuse such as food containers, sacks etc. shall be addressed.
 - d. Fuels, Chemicals and Maintenance Areas: All fuels and chemicals necessary to complete the project shall be stored in such a manner that accidental spillage is minimized or can be temporarily contained before reaching the water body. Equipment maintenance areas shall also be located in this manner.
 - e. Spills: Should a spill of fuel or discharge of pollutants occur, the local emergency staff should be contacted first by dialing 911. The Kansas Department of Health and Environment shall then be notified immediately: (785) 296-1679 (24 hours a day.) These incidences should also be reported to the National Spill Response Center (1-800-424-8802). Hazardous materials spills and air releases that meet federal reportable quantities must also be reported to Kansas Division of Emergency Management (800-275-0297)." These reporting numbers shall be posted in several locations around the site. A Spill Prevention and Response Plan should be prepared. This should include reportable quantity limits (see www.kansas.gov/kdem).
 - f. The excavation depth and depth to groundwater makes local private and other water wells susceptible to contamination. Kaw Valley Companies, Inc. should strongly consider using the Kansas Water Well Data Base or other means to maintain a list of local water well owners to expeditiously contact in case of a spill.

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Map of WWC5 Wells

KGS--Water Wells Q...

Participant Gear - A...

A Kaw Valley spiral...

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Mobile Construction Equipment: Wheeled loaders would be the only mobile construction equipment used at the site. A 1000 to 5000 gal fuel tank would store diesel fuel on the site for the mobile equipment. The mobile equipment would be regularly maintained and serviced by Kaw Valley's servicing staff.

Stationary Processing Equipment: The stationary equipment that would be used on the site would include a high-capacity water pump, an industrial aggregate washer, a separator/consolidator, and rotating conveyor belts to deposit processed sand and aggregate onto stockpiles. The site would also have a truck weighing scale for checking load weights before driving out onto the public roads. The high-capacity pump would draw groundwater from a well-pipe and then pump the water into a storage tank, where it would be fed into the industrial aggregate washer for washing and separating the sand and aggregates from silty material. The separator/consolidated would separate the finer sand material from the larger diameter aggregates and then feed the sorted materials onto a rotating conveyor belt where the material would be deposited into the two 'half-donut' shaped stockpiles.

<u>Production and Processing Rates:</u> At full-production capacity, the site would generate approximately 2000 tons of sand each day. The sand deposits on the site have an estimated sub-surface depth of 50 ft and could potentially yield as much as 8.3 million tons of sand.

Stockpiling Sand and Aggregate: Along with the two 'half-donut' shaped stockpiles centered around the separator/consolidator, the plant may also stockpile some additional material in nearby areas during periods of peak demand. The auxiliary stockpiles would be located close to Lenape Road to facilitate loading into the transport trucks for shipping back to the company's Edwardsville processing plant.

Special Considerations

Flooding: The USGS River Gauging Station 06892350 for the Kansas River at De Soto, Kansas, is located at the southeastern end of the 166th Street Bridge. The USGS posts the recorded real-time results of river gauge readings on their website. The total drainage area of the Kansas River at the gauge is approximately 59,756 square miles. The gauge datum is listed as 753.87 feet above NGVD29 (the NGVD29 datum is approximately 3 to 4 inches lower than the NAVD88 datum for the Kansas City region).

The highest river elevation recorded at the De Soto Gauging Station was 781.32' in October of 1973 (the gauge was not in service during the 1951 flood). The second highest was 780.69 in July of 1993. The De Soto Gauging Station has been recording data regularly since 1975 (also included the historic 1973 flood data), and the lowest "high water elevation" recorded over that time was 762.82' in April of 1988, which was a historic drought year for the Kansas City area (that was the same year that the Arabia Steamboat was excavated from the overbank area of the Missouri River). The Kansas River's average annual high water elevation was approximately 771.81'. The Lenape Sand Quarry site has existing ground surface elevations ranging from 782 to 786 feet.

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Map of WWC5 Wells

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- a. Riparian Areas: Minimize removal or disturbance of riparian areas (areas adjacent to water bodies). Strongly consider using native vegetation endemic to the area.
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- g. Kaw Valley Companies, Inc. shall contact the Leavenworth County Planning and Zoning Department to inquire about Leavenworth County's sanitary code compliant mechanisms for treating on-site waste water. For assistance, please contact: Mr. Jeff Joseph, 913-684-0465, pz@leavenworthcounty.org.
- 9) This certification does not relieve Kaw Valley Companies, Inc. of the responsibility for any discharge into waters of the state. The Kansas Department of Health and Environment retains the option of revoking or revising this certification any time an inappropriate discharge may occur. As provided by K.S.A. 65-171(f), failure to comply with the conditions of this certification may subject the responsible party to fines up to \$10,000 per violation with each day the violation occurs constituting a separate violation.

POTENTIAL IMPACTS OF STORMWATER RUNOFF ON WATER QUALITY IN URBAN SAND PITS AND ADJACENT GROUNDWATER

sediment, inorganic (nutrients, trace metals) and organic (pesticides, halogenated hydrocarbons) constituents, and microorganisms (Makepeace et al., 1995; Pitt et al., 1995; Domagalski, 1996; Smullen et al., 1999; Lee and Bang, 2000; Paul and Meyer, 2001; Burton and Pitt, 2002; Lee et al., 2002; Rasmussen et al., 2008; Phillips and Chalmers, 2009). Some of these contaminants are not filtered or completely adsorbed during infiltration to the subsurface, thereby potentially affecting groundwater (Pitt et al., 1996, 1999; Clark and Pitt, 2007).

Stormwater also runs into pits from which sand and gravel have been mined. This runoff is regulated by some states (National Research Council, 2009). For example, Alaska has a manual of best management practices (BMPs) for gravel pits and the protecsurface-water quality (Ecology Environment, Inc., 2006). In some areas of the United States (U.S.), land adjacent to previous sand and gravel pits with a shallow water table has been converted into residential areas to become high-value property surrounding the surface-water body. Stormwater runoff can either be derived from the immediate area or directed from a larger area into these pits. Where the water table intersects the pit and the sand and gravel have a relatively high hydraulic conductivity, the aquifer is especially vulnerable to contamination (Pitt et al., 1996; Fischer et al., 2003).

Few studies have been designed to specifically examine the impact of stormwater runoff on water quality in detention ponds or sand and gravel pits and its potential impact on underlying or adjacent groundwater in urban areas. Those that exist did not consider as comprehensive a set of constituents, such as all major and minor inorganic constituents and trace metals, a wide range of pesticides and other synthetic organic compounds, and bacteria, as reported in this article. Ku and Simmons (1986) determined the effect of urban stormwater runoff on groundwater beneath recharge basins on Long Island, New York. Schiffer (1989) studied the impact of highway runoff into detention and retention ponds on shallow groundwater quality in Florida. Fischer et al. (2003) compared groundwater quality beneath detention ponds in urban areas in New Jersey and compared the results with the quality of shallow groundwater in areas of nonurban use. None of these investigations involved ponds that intersected the groundwater table. Although some studies exist for which the effect of sand and gravel mining on groundwater quality was considered (e.g., Peckenham et al., 2009), no investigations were found that comprehensively addressed the impact of stormwater runoff into water-filled sand and gravel pits in suburban or urban areas.

Sand and gravel have been mined from many pits within or adjacent to the City of Wichita, Kansas (Figure 1). After mining, many of the pits were developed as residential areas. The water table of the alluvial aquifer in the city is shallow and the pits are filled with water; thus, the water bodies become scenic or recreational amenities. Regulations in Kansas require the sealing of the annular space in wells (between the casing and the borehole) to prevent surface water from flowing down to the water table and contaminating groundwater. A concern for the waterfilled sand pits is that they are analogous to large boreholes with a window to the aquifer, thereby allowing direct entrance of pit water to the aquifer. Stormwater raises the water level in a pit faster than unsaturated zone recharge raises the groundwater level because the water is derived from a larger surface area than direct precipitation and enters the pit faster than precipitation recharge reaches the water table. Thus, stormwater runoff into a pit produces a higher hydraulic gradient from the pit water level to the groundwater table and increases flow from the pit to the aquifer. Conversely, during dry periods in the summer, evaporation of water from a water-filled pit lowers its water level and increases groundwater flow into the pit. Groundwater from the alluvial aquifer within parts of Wichita is used for both domestic and public water supply; thus, potential contamination from stormwater runoff is of concern.

The National Water-Quality Assessment Program (NAWQA) of the U.S. Geological Survey (USGS) detected several pesticides and volatile organic compounds (VOCs) in groundwaters sampled from monitoring wells installed for their study in the urban Wichita area (Pope et al., 2002). In 2002, Equus Beds Groundwater Management District No. 2 (GMD2) and the Wichita Area Builders Association (WABA) formed a groundwater quality task force to address issues regarding the use of sand and gravel pits for stormwater flow management in Wichita, including whether stormwater runoff into the pits should be prevented or controlled to protect groundwater from potential contamination. In response to sand-pit issues, the Kansas legislature passed the Senate Bill 364 in 2004 that amended laws on water appropriation in sand and gravel pits and introduced a new section that included studying the pollution control impacts of diverting stormwater runoff into sand pits.

State and local agencies addressed the new section in the bill by developing a plan for investigating the impacts of stormwater runoff into urban sand pits on surface water, bottom sediment, and groundwater quality. They obtained the assistance of federal agencies for completing selected study steps. The Kansas Geological Survey (KGS) (the author) was a part of the agency group and, in addition to input during the investigation planning, was responsible for interpretation, reporting, and presenting the study results

AMERICAN WATER RESOURCES ASSOCIATION

June 2012

POTENTIAL IMPACTS OF STORMWATER RUNOFF ON WATER QUALITY IN URBAN SAND PITS AND ADJACENT GROUNDWATER¹

Donald O. Whittemore²

ABSTRACT: Entrance of stormwater runoff into water-filled pits and adjacent aquifers is a contamination concern. The water and sediment quality in several sand pits and surrounding groundwater in Wichita, Kansas, were studied to comprehensively address stormwater runoff impact. The pits are used for residential development after sand and gravel mining. Water samples were analyzed for inorganic constituents, bacteria, and 252 organic compounds, and pit sediments for inorganic components and 32 organic chemicals. Although many pesticide and degradate compounds were found in the pit and well waters, none of these chemicals exceeded existing health levels. Other organic contaminants were detected in the waters, with those exceeding health levels at one site attributed to an undiscovered groundwater contamination plume and not to stormwater runoff. Persistent insecticides and polychlorinated biphenyls detected in sediment of two pits are related to the age of residential development. The concentration distributions of pesticides and other organics at most of the sites, as well as iron, manganese, and ammonia patterns in downgradient well waters relative to upgradient well and pit waters, indicate that groundwater quality at the sites is affected by contaminants entering the pit surface waters. Thus, although current stormwater runoff does not appear to have contaminated sand-pit water and adjacent groundwater above health levels, the data show that the potential exists if stormwater became polluted.

(KEY TERMS: stormwater runoff; sand pits; urban water quality; groundwater quality; pesticides; sediment quality; alluvial aquifer; Kansas.)

Whittemore, Donald O., 2012. Potential Impacts of Stormwater Runoff on Water Quality in Urban Sand Pits and Adjacent Groundwater. *Journal of the American Water Resources Association* (JAWRA) 48(3): 584-602. DOI: 10.1111/j.1752-1688.2011.00637.x

INTRODUCTION

Entrance of stormwater runoff into surface-water ponds and underlying aquifers is an environmental hazard when the runoff is contaminated. Management of stormwater in suburban and urban areas includes the construction of detention ponds (National Research Council, 2009). Although deten-

tion and retention ponds can remove larger particulates, attenuate the first flush of harmful contaminants in peak flows to receiving waters, and decrease the concentrations of many pollutants (Pennington et al., 2003), the accumulation of stormwater causes increased infiltration to underlying and adjacent groundwater (Pitt et al., 1996; Fischer et al., 2003). Stormwater in urban and suburban areas can contain a range of contaminants, including suspended

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KANSAS ADMINISTRATIVE REGULATIONS (K.A.R.)

Agency 28

Kansas Department of Health and Environment

Article 16.—Water Pollution Control

28-16-28e. Surface water quality criteria. (a) Criteria development guidance. The development of surface water quality criteria for substances not listed in these standards shall be guided by water quality criteria published by the EPA. If the department finds that the criteria listed in this regulation are underprotective or overprotective for a given surface water segment, appropriate site-specific criteria may be developed and applied by the department, in accordance with K.A.R. 28-16-28f, using bioassessment methods or other related scientific procedures, including those procedures consistent with the EPA's "water quality standards handbook," second edition, as published in August 1994, or other department-approved methods.

(b) General criteria for surface waters. The following criteria shall apply to all surface waters,

regardless of classification:

(1) Surface waters shall be free, at all times, from the harmful effects of substances that originate from artificial sources of pollution and that produce any public health hazard, nuisance condition, or impairment of a designated use.

(2) Hazardous materials derived from artificial sources, including toxic substances, radioactive isotopes, and infectious microorganisms derived from point sources or nonpoint sources, shall not occur in surface waters at concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife, or aquatic or semiaquatic life.

(3) Surface waters shall be free of all discarded solid materials, including trash, garbage, rubbish, offal, grass clippings, discarded building or construction materials, car bodies, tires, wire, and other unwanted or discarded materials. The placement of stone and concrete rubble for bank stabilization shall be acceptable to the department if all other required permits are obtained before placement.

(4) Surface waters shall be free of floating debris, scum, foam, froth, and other floating materials directly or indirectly attributable to artificial sources of pollution.

(5) Oil and grease from artificial sources shall not cause any visible film or sheen to form upon the surface of the water or upon submerged substrate or adjoining shorelines, nor shall these materials cause a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shorelines.

(6) Surface waters shall be free of deposits of sludge or fine solids attributable to artificial sources of pollution.

(7) Taste-producing and odor-producing substances of artificial origin shall not occur in surface waters at concentrations that interfere with the production of potable water by conventional water treatment processes, that impart an unpalatable flavor to edible aquatic or semiaquatic life or terrestrial wildlife, or that result in noticeable odors in the vicinity of surface waters.

(8) The natural appearance of surface waters shall not be altered by the addition of color-

producing or turbidity-producing substances of artificial origin.

(9) In stream segments where background concentrations of naturally occurring substances, including chlorides and sulfates, exceed the water quality criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria," as adopted by reference in subsection (e), the existing water quality shall be maintained, and the newly established numeric criteria shall be the background concentration. Background concentrations shall be established using the methods outlined in the "Kansas implementation procedures: surface water quality standards," as adopted by reference in K.A.R. 28-16-28b, and available upon request from the department.

(c) Application of criteria for designated uses of surface waters.

(1) The numeric criteria in tables 1a, 1b, 1c, and 1d of the "Kansas surface water quality standards: tables of numeric criteria" shall not apply if the critical low flow is less than 0.03 cubic meter per second (1.0 cubic foot per second) for waters designated as expected aquatic life use waters and restricted aquatic life use waters, unless studies conducted or approved by the department show that water present during periods of no flow, or flow below critical low flow, provides important refuges for aquatic life and permits biological recolonization of intermittently flowing segments.

(2) The numeric criteria in tables 1a, 1b, 1c, and 1d of the "Kansas surface water quality standards: tables of numeric criteria" shall not apply if the critical low flow is less than 0.003 cubic meter per second (0.1 cubic foot per second) for waters designated as special aquatic life use waters, unless studies conducted or approved by the department show that water present during periods of no flow, or flow below critical low flow, provides important refuges for aquatic life and permits biological recolonization of intermittently flowing segments.

(3) Each digression shall be assessed by the secretary for the purposes of section 303(d) of the federal clean water act, with consideration of acceptable duration and frequency of the digression and representation of actual ambient conditions by environmental monitoring data, as specified in the "Kansas implementation procedures: surface water quality standards."

(d) Criteria for designated uses of surface waters. The following criteria shall apply to all classified surface waters for the indicated designated uses:

(1) Agricultural water supply use. The water quality criteria for irrigation and livestock watering specified in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" shall not be exceeded outside of mixing zones due to artificial sources of pollution.

(2) Aquatic life support use.

(A) Nutrients. The introduction of plant nutrients into streams, lakes, or wetlands from artificial sources shall be controlled to prevent the accelerated succession or replacement of aquatic biota or the production of undesirable quantities or kinds of aquatic life.

(B) Suspended solids. Suspended solids added to surface waters by artificial sources shall not interfere with the behavior, reproduction, physical habitat, or other factors related to the survival and propagation of aquatic or semiaquatic life or terrestrial wildlife. In the application of this provision, suspended solids associated with discharges of presedimentation sludge from water treatment facilities shall be deemed noninjurious to aquatic and semiaquatic life and terrestrial wildlife if these discharges fully meet the requirements of paragraphs (b)(6) and (8) and paragraph (d)(2)(D).

(C) Temperature.

(i) Heat of artificial origin shall not be added to a surface water in excess of the amount that will raise the temperature of the water beyond the mixing zone more than 3° C above natural conditions. Additionally, a discharge to a receiving water shall not lower the

temperature of the water beyond the mixing zone more than 3° C below natural conditions. The normal daily and seasonal temperature variations occurring within a surface water before the addition of heated or cooled water of artificial origin shall be maintained.

(ii) Temperature criteria applicable to industrial cooling water recycling reservoirs that meet the requirements for classification specified in K.A.R. 28-16-28d shall be established by the secretary on a case-by-case basis to protect the public health, safety, or the environment. (D) Toxic substances.

(i) Conditions of acute toxicity shall not occur in classified surface waters outside of zones of initial dilution, nor shall conditions of chronic toxicity occur in classified surface waters

outside of mixing zones.

(ii) Acute criteria for the aquatic life support use specified in tables 1a, 1b, and 1c of the "Kansas surface water quality standards: tables of numeric criteria" shall apply beyond the zone of initial dilution. Chronic criteria for the aquatic life support use specified in tables 1a, 1b, and 1d of the "Kansas surface water quality standards: tables of numeric criteria" shall apply beyond the mixing zone.

(iii) If a discharge contains a toxic substance that lacks any published criteria for the aquatic life support use, or if a discharge contains a mixture of toxic substances capable of additive or synergistic interactions, bioassessment methods and procedures shall be specified by the department to establish whole-effluent toxicity limitations that are consistent with paragraph

(d)(2)(D)(i).

(3) Domestic water supply use.

(A) Except as provided in paragraph (d)(3)(B), the criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" for domestic water supply use

shall not be exceeded at any point of domestic water supply diversion.

(B) In stream segments where background concentrations of naturally occurring substances, including chlorides and sulfates, exceed the domestic water supply criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria," due to intrusion of mineralized groundwater, the existing water quality shall be maintained, and the newly established numeric criteria for domestic water supply shall be the background concentration. Background concentrations shall be established using the methods outlined in the "Kansas implementation procedures: surface water quality standards," available upon request from the department.

(C) Any substance derived from an artificial source that, alone or in combination with other synthetic or naturally occurring substances, causes toxic, carcinogenic, teratogenic, or mutagenic effects in humans shall be limited to nonharmful concentrations in surface waters. Unless site-specific water quality conditions warrant the promulgation of more protective criteria under the provisions of subsection (a) of this regulation and K.A.R. 28-16-28f, maximum contaminant levels for toxic, carcinogenic, teratogenic, or mutagenic substances specified in 40 C.F.R. 141.11, 141.13, and 141.61 through 141.66, dated July 1, 2012, shall be deemed nonharmful.

(D) The introduction of plant nutrients into surface waters designated for domestic water supply use shall be controlled to prevent interference with the production of drinking water.

(4) Food procurement use.

(A) Criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" for food procurement use shall not be exceeded outside of a mixing zone due to any artificial source of pollution.

(B) Substances that can bioaccumulate in the tissues of edible aquatic or semiaquatic life or wildlife through bioconcentration or biomagnification shall be limited in surface waters to concentrations that result in no harm to human consumers of these tissues. For

bioaccumulative carcinogens, surface water concentrations corresponding to a cancer risk level of less than 0.000001 (10⁻⁶) in human consumers of aquatic or semiaquatic life or wildlife shall be deemed nonharmful by the department and adopted as food procurement criteria. Average rates of tissue consumption and lifetime exposure shall be assumed by the department in the estimation of the cancer risk level.

(5) Groundwater recharge use. In surface waters designated for the groundwater recharge use, water quality shall be such that, at a minimum, degradation of groundwater quality does not occur. Degradation shall include any statistically significant increase in the concentration of any chemical or radiological contaminant or infectious microorganism in groundwater resulting from surface water infiltration or injection.

(6) Industrial water supply use. Surface water quality criteria for industrial water supplies shall be determined by the secretary on a case-by-case basis to protect the public health, safety, or the environment.

(7) Recreational use.

(A) General. The introduction of plant nutrients into surface waters designated for primary or secondary contact recreational use shall be controlled to prevent the development of objectionable concentrations of algae or algal by-products or nuisance growths of submersed, floating, or emergent aquatic vegetation.

(B) Primary contact recreation for classified surface waters other than classified stream segments. A single sample maximum or a geometric mean of at least five samples collected during separate 24-hour periods within a 30-day period shall not exceed the criteria in table 1j of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(C) Secondary contact recreational use for classified surface waters other than classified stream segments. A single sample maximum or a geometric mean of at least five samples collected during separate 24-hour periods within a 30-day period shall not exceed the criteria in table 1j of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(D) Primary contact recreation for classified stream segments. At least five samples shall be collected during separate 24-hour periods within a 30-day period. A geometric mean analysis of these samples shall not exceed the criteria in table 1i of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(E) Secondary contact recreation for classified stream segments. The following criteria shall be in effect from January 1 through December 31 of each year:

(i) At least five samples shall be collected during separate 24-hour periods within a 30-day period.

(ii) A geometric mean analysis of the samples specified in paragraph (d)(7)(E)(i) shall not exceed the criteria in table 1i of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(F) Wastewater disinfection. Wastewater effluent shall be disinfected if the department determines that the discharge of nondisinfected wastewater constitutes an actual or potential threat to public health. Situations that constitute an actual or potential threat to public health shall include instances in which there is a reasonable potential for the discharge to exceed the applicable criteria supporting the assigned recreational use designation or if a water body is known or likely to be used for either of the following:

(i) Primary or secondary contact recreation; or

(ii) any domestic water supply.

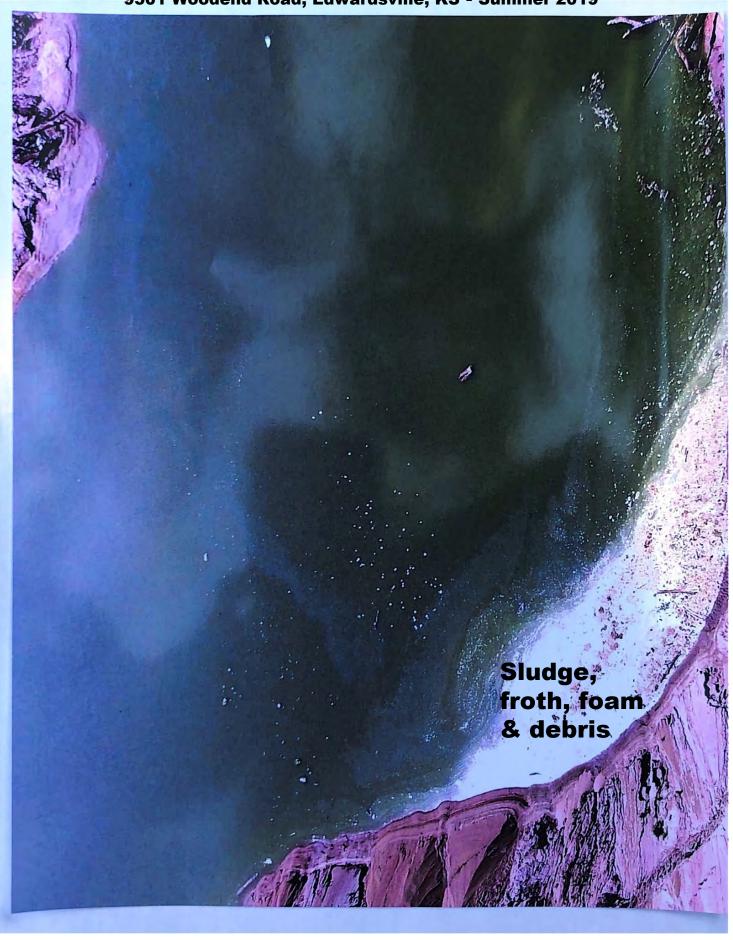
(8) Multiple uses. If a classified stream segment or classified surface water other than a classified stream segment is designated for more than one designated use according to

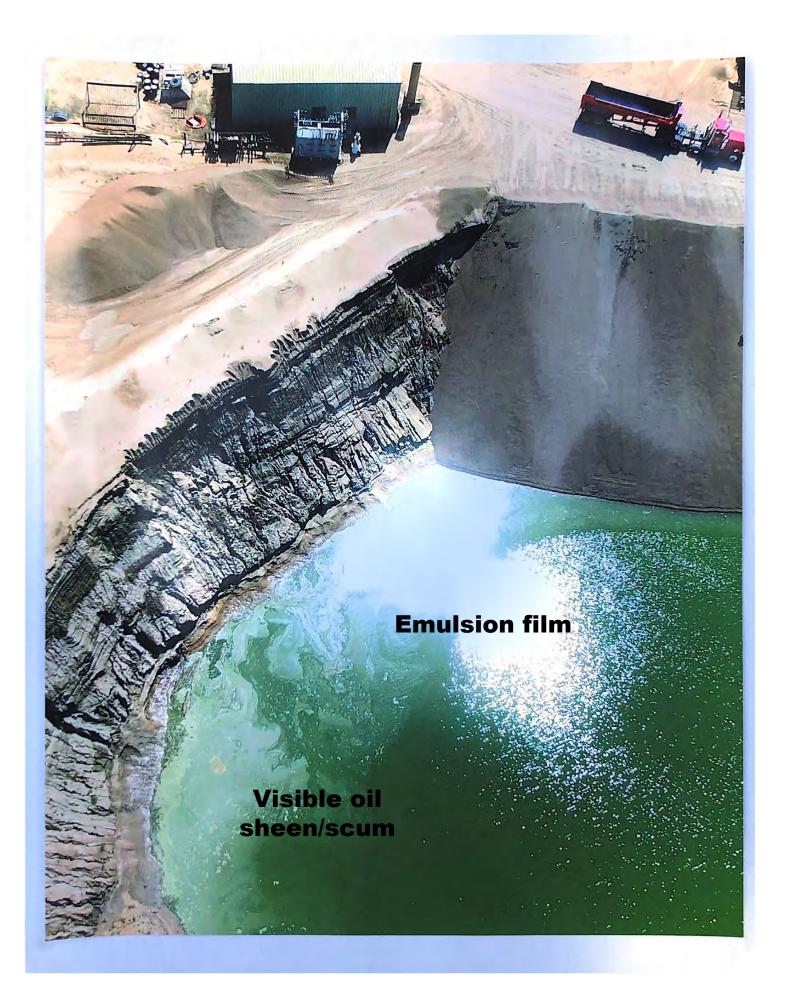
K.A.R. 28-16-28d, the water quality of the classified stream segment or classified surface water other than a classified stream segment shall meet the most stringent of the applicable water quality criteria.

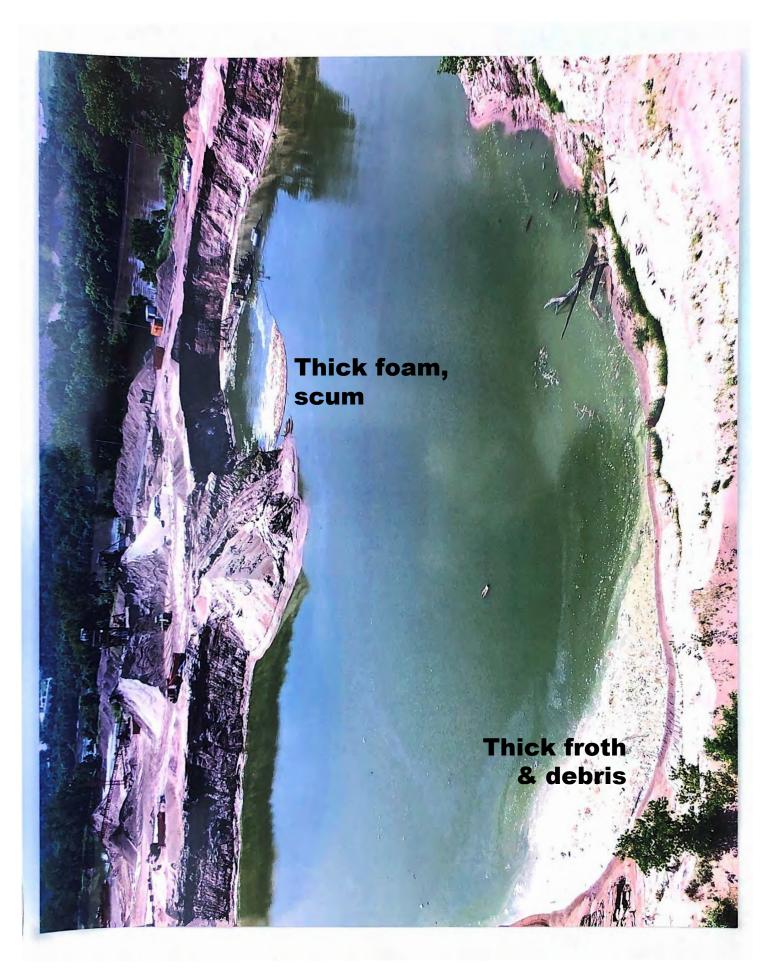
(e) Tables. The numeric criteria for the designated uses of classified surface waters shall be the numeric criteria specified in the department's "Kansas surface water quality standards: tables of numeric criteria," dated December 15, 2017, which is hereby adopted by reference. (Authorized by K.S.A. 2017 Supp. 65-171d, K.S.A. 65-171m, and K.S.A. 2017 Supp. 82a-2010; implementing K.S.A. 2017 Supp. 65-171d, K.S.A. 65-171m, and K.S.A. 2017 Supp. 82a-2002, 82a-2003, 82a-2004, and 82a-2010; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994; amended July 30, 1999; amended Nov. 3, 2000; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Oct. 24, 2003; amended Jan. 28, 2005; amended March 20, 2015; amended Feb. 23, 2018.)

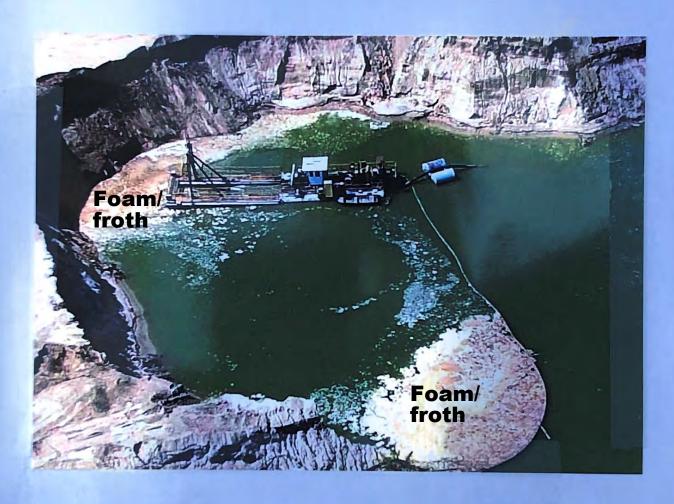
Attachment 5: Kaw Valley Inc.,

9501 Woodend Road, Edwardsville, KS - Summer 2019









CITY OF EUDORA TERRANE RESOURCES CO. 15 FEB., 2011 PAGE 6 OF 6

We recommend the City monitor water levels in and around their well field. Either by utilizing existing wells if available or by installing a series of observation wells. From this network a detailed ground water flow regime map can be prepared. Additionally, seasonal variations in ground water flow can be monitored.

Once the City has a detailed Source Water Protection Area (SWPA) delineated then it can be referenced in future planning and zoning determinations.

We suggest requesting Kaw Valley install, monitor and analyze samples and data from no less than three observation wells along the west and southwest portion of the proposed sand pit. It would be beneficial if these wells could be installed before excavation begins. Samples should be collected in the spring and late fall to establish a baseline on quality and water levels should be measured monthly.

The main component as to whether this proposed sandpit will be an issue will depend how much impact the City's well-field has on the aquifer. It is possible the data to make that determination already exists. Much of the data gathered during the construction of the wells should be available. It is important the wells be evaluated as they are operated not as a single event or pumping well.

John, this is a complex issue, which may be exactly as Mr. Nuzman has described it. It has been our experience it takes detailed analysis of the data to establish areas of influence and develop a meaningful SWPA deligeation.

As Always if you or any of your colleagues have any questions do not he sitate to contact us.

198.

11.44 Y

and the state of

Francisco

Respectfulb/submitted

Fdward "Ned" T. Marks. Geologist

Terrane Resources Co.

Encl.

15 Feb 2011

Lochner\BWR - MEMORANDUM (CONTINUED)

April 18, 2011 - Page 6

Re #2 – Public assurance as to long-term potential impacts of the proposed sand pit operation on treatment of the well water by the City of Eudora. Should the County consider conditions of CUP approval in this case, the City recommends the following conditions be considered for City well protection:

- A surety bond with provisions to assure that the City would be made whole should a well
 water problem result from the proposed sand pit operation, provisions to be worked out
 with input from the City.
- Method for monitoring untreated and treated well water for timely intervention, in a procedure acceptable to the City and the County.
- A building setback of 100-feet or greater from the property line opposite the main City water line feeding the city of Eudora, parallel to N-1500 Road.

Re #3 –Long-term potential impacts of the proposed sand pit operation on the central jetty and the jetty system. We ask that the Douglas County Engineer's opinion be reconsidered, and that if any jetty is amended by the dredging, then an engineering solution must be submitted for how the amendment will leave a fully-functioning jetty system.

Attachment: Review by Terrane Resources Company (February 14, 2011)

End of Memorandum

Voth, Krystal

From: Mike Brungardt <mbrungardt@desotoks.us>

Sent: Tuesday, February 12, 2019 11:17 AM

To: Voth, Krystal

Cc: COD - City Council; Patrick Reavey; Marshal Goodnight; Doug Smith

Subject: RE: Request for Comment DEV-19-007

Attachments: Water System Map 2019 5.pdf

Follow Up Flag: Follow up Flag Status: Completed

Krystal:

Please consider this e-mail my formal response to the Special Use Permit application materials submitted by Kaw Valley Companies, Inc., which you sent me on February 4th. With the limited response time, I have not had the opportunity to fully engage De Soto's governing body on this issue, so this is not an official position from the City.

As I mentioned in my previous e-mail, my two primary concerns are the truck traffic and potential impacts to groundwater quality.

Truck Traffic:

The application materials indicate that the majority of truck traffic will be bound for Kaw Valley's processing facility in Edwardsville, but does leave open the potential for sales to other companies. The traffic study concentrates solely on the route between the proposed pit and the Edwardsville facility. Obviously, my concern relates to truck traffic to the south of the site which would cross the Kansas River bridge into De Soto, passing through a primarily residential area. While an occasional truck or two would not pose much of a concern, there is a potential for a situation to arise where a significant volume of truck traffic heads south from the site into De Soto.

For this reason, I request that you consider placing a truck route restriction in the terms of the Special Use Permit limiting or prohibiting truck traffic to and from the south of the site.

Groundwater Quality:

Attached is a map of De Soto's water system showing the location of our raw water wells along the Kansas River. We have three vertical wells on the north side of the Kansas River in Leavenworth County. One of these wells is only about ¼ mile west of the proposed dredging pit. I am therefore concerned about any potential impacts to groundwater quality.

Under the title of "Pollution Concerns", the SUP narrative indicates that the dredge pond would serve as a sedimentation basin to trap erosion and prevent it from entering the Kansas River. The narrative also includes a section entitled "Sediment Basin", which outlines the intent to capture runoff from surrounding fields, and specifically indicates that the pit would allow ready absorption of stormwater runoff into the underlying groundwater table. This practice should be avoided, since it has a great potential to negatively impact groundwater quality by introducing surface contaminants, (including agricultural fertilizers, fuel residues, or other chemicals), directly into the groundwater table. A common practice with similar dredging pits is to construct berms or other surface water diversion works around the parameter of the pit to prevent the flow of surface runoff into the pit. I would request that the applicant be required to do so in this case. In addition, I would encourage a condition on the use permit requiring the use of an electric dredge to eliminate the potential of a fuel leak directly into the pit.

Lastly, I feel it will be necessary to actively monitor groundwater quality for the duration of the pit operations. I request that a condition be placed on the operator to conduct periodic groundwater testing at a location between the proposed pit and De Soto's wells. There are two abandon wells along Lenape Road, (owned by the Sunflower Redevelopment

Group) that might be used for this purpose. Testing should be conducted by an independent consultant before the development of the pit, and at intervals not exceeding four months throughout the duration of mining activities.

Please let me know the date and location of the public meeting for this application, as I would like to attend.

Thank you.

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116 cell: 785-764-8737

From: Mike Brungardt

Sent: Monday, February 04, 2019 12:03 PM

To: 'Voth, Krystal' < KVoth@leavenworthcounty.org>
Subject: RE: Request for Comment DEV-19-007

Thanks for the information, Krystal. I just received a notification today from the Corps about their 404 permit, and I was intending to reach out to Leavenworth Planning. Without looking at any of the material you sent, my first concern would be truck traffic over the bridge and through De Soto, and potential impact to De Soto's water wells that are just west of the site.

I will provide a formal written response by February 12.

Thanks,

Mike D. Brungardt, P.E. City Administrator, De Soto, KS P.O. Box C, De Soto, Kansas 66018 office: 913-583-1182 x116 cell: 785-764-8737

From: Voth, Krystal [mailto:KVoth@leavenworthcounty.org]

Sent: Monday, February 04, 2019 11:43 AM
To: Mike Brungardt mbrungardt@desotoks.us
Subject: FW: Request for Comment DEV-19-007

Good morning. Our office has received an application for a sand quarry down on Golden Road. This request is located near a small section of the City of De Soto and as such, I wanted to reach out to you. I have attached several documents, including the application, site plan, traffic study, noise study and plant operations memo. This is for a Special Use Permit case being hear in March. As such, your written input is greatly appreciated by Tuesday, February 12. If you have any additional questions, or need anything else, please just let me know! Thank you and have a good day!

Lenape Sand Quarry – DEV-19-007 March 3, 2019 Page 2 of 2

Comments from the Engineering Division are provided below. For additional information or questions, please contact the Water and Sewer Division at 913.971.9116:

- 1. Due to the depths of the mining activities over time, the City has major concerns with potential contamination happening with the pits and allowing this plume to have direct access to the ground water being pumped by Collector Well #5 located on the Burning Tree Golf Course. What actions will this operation take to ensure the safety of the ground water within the aquifer?
- 2. Due to the depths of the mining activities over time, the City has major concerns with potential contamination happening with the pits and allowing this plume to have direct access to the ground water being pumped by Collector Well #5 located on the Burning Tree Golf Course. What actions will this operation take to ensure the safety of the ground water within the aquifer?

Comments from the Traffic Division are provided below. For additional information or questions, please contact the Water and Sewer Division at 913.971.9065:

 While no traffic congestion issues are foreseen as a result of this application request, consideration may be given for acquiring additional right-of-way along 166th street because it appears to squeeze down at the south side of the subject property.

If you have any questions or would like additional information, please do not hesitate to contact us. I can be reached at 913-971-8746 or via email at aenassif@olatheks.org

Thank you,

Aimee E. Nassif, AICP

Chief Planning and Development Officer

City of Olathe

Cc: Chet Belcher, Transportation Manager Sabrina Walker, Water and Sewer Manager Ben Laxton, Fire Protection Engineer

Project file

Property Values

In this section are documents, descriptions, and commentary about the impact on property values if the Lenape Sand Quarry project is approved. Included are a:

white paper discussion

2002 affidavit

graphic showing actual area of impact

graphic showing southeastern LV County

CPA analysis

The Frac Sand Frisbee

Tossing ideas around...



 Monitoring analysis of the air surrounding a Chippewa Falls processing plant Next Post →

Talking points Ñ Impact on property values, and resulting tax increases

Posted on June 13, 2012 by Mike O'Connor

Hi all, here's a white paper written by Fred Harding (a member of Maiden Rock Concerned Citizens) developed that addresses the issues of property stigmatization by sand mines.

Property Valuation as it relates to proximity of a sand mine By Fred Harding

As we know, the state of Wisconsin in the 1980's determined how businesses are assessed for taxation purposes. The laws are incredibly intricate, specifying how different buildings, machines and the like are subjected to varying levels of taxation.

We all understand that as residents of the area, we pay property taxes that do not fall under the same rules. The state has established different formulas based on property fair market value for residential properties.

We understand that our property taxes are used to pay for village services, as well as county and state services.

When property values decrease due to a variety of factors, we still need to pay those same high taxes. When property values decrease due to factors that are beyond an individual homeowners control, it seems unfair; our taxes don't necessarily decrease, but the value of one of our most important assets has fallen.

The concept of property value being adversely impacted by proximity to an unpleasant business or industry is called stigmatization. It's been studied at an academic level for many years; Professor Diane Hite, an economist with Auburn University is one of the foremost scholars on the topic.

Resources

- About
- County contact info
- Meetings
- Mine
- Sign up for the email list
- Start here Links and references
- **■** Steal These Documents

WhatÕs new

- Dredge sand: City of Alma Mayor's Comments
- Dredge sand: Buffalo County Board comments
- Comments Submitted June 23rd, 2017
- Dredge sand: Nelson Public Meeting
- Dredge sand disposal in Buffalo County – proposal highlights

Older posts

- June 2017
- May 2017
- December 2015
- August 2015
- November 2014
- October 2014
- May 2014
- April 2014
- March 2014
- February 2014
- January 2014
- December 2013
- September 2013
- July 2013
- June 2013
- May 2013
- April 2013
- January 2013December 2012
- December 2012November 2012
- October 2012

In 2011, after the stock market and housing market "adjusted", EOG negotiated with the town of Howard, Wisconsin to try and arrive at a fair and equitable agreement prior to EOG working in their lands.

EOG, formerly Enron Oil and Gas, is a fortune 500 company. At the conclusion of negotiations with Howard, EOG agreed to a number of extraordinary terms, including guaranteeing the value of resident's property. In other words, EOG agrees to take the word of an independent appraiser, and if the house in question does not sell for the appraised amount, EOG shall pay the difference between offer and appraised value.

EOG agreed to these terms because they realized that research has shown the following extraordinary statistics:

- 1. A house within 1/3 of a mile of a mine declines in value 30%
- 2. A house within ½ of a mile of a mine declines in value 20%
- 3. A house within 1 mile of a mine declines in value by 15%
- 4. A house within 2 miles of a mine declines in value by 9%
- 5. A house within 5 miles of a mine declines in value by 5%

This information was provided at the Wisconsin Towns Association Meeting, held on December 1, 2011 and January 12, 2012.

But for arguments sake, let's not take the word of a fortune 500 company negotiating with a team of lawyers against a small town in Wisconsin. Let's take a look at more local facts.

Red Wing, Minnesota, is located within 20 miles of the village of Maiden Rock. Along with Ellsworth, Wisconsin, it is one of the larger municipalities in the area. A local real estate agent, Mark McCaughty, works for Coldwell Banker in the Red Wing office. Prior to working in Red Wing, he worked in Hibbing, Minnesota for several years. He reports that a home now going into Foreclosure in proximity to a proposed mine site there has had the following value history.

- 1. Original mortgage of \$400,000
- 2. Listed as foreclosure in late October, 2011, at \$259,000
- 3. Current list price is \$214,000
- 4. His opinion is the property will sell for around \$200,000.

Current assessed value by the county is \$348,000. The house is, in his words, "newer, and in excellent condition". When asked why the value had dropped so precipitously, he replied "Even Foreclosures will have trouble selling because of the frac sand locations."

Another local realtor, who asked to be anonymous because he has to do business with folks on all sides of the issue, commented on Monday, the 19 of March "A rational person would easily realize that properties adjacent to any mining operation ... are going to see a negative impact on re-sale values and marketability."

Bringing it all together, the mine will not increase property values. Selling property will be at a lower level than assessed by the county values. Individuals looking for a peaceful residence may find that the artifacts associated with mining and transporting finished product are not conducive to their goals. Stress on housing stock and on road stock will put people into a place where there home is worth less, but to make up for damages to roads they will pay more in taxes.

- September 2012
- August 2012
- July 2012
- June 2012
- May 2012
- April 2012
- March 2012
- February 2012
- January 2012
- December 2011

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- WordPress.org

STATE OF KANSAS
)
SS. AFFIDAVIT OF GARY GURSS
COUNTY OF LEAVENWORTH
)

Gary L. Gurss, of lawful age, being first duly sworn, on his oath, states as follows:

- 1. That he is an ASE certified and Kansas certified appraiser with more than eighteen (18) years experience in Leavenworth County; that he regularly professionally appraises approximately 800 properties per year and has a comprehensive knowledge of the valuation of real estate throughout Leavenworth County, Kansas.
- 2. That he is familiar with the area of Loring Road west of Bonner Springs, Kansas in Sherman Township where the proposed "ROCCA Underground Mine and Quarry" is proposed.
- 3. That, in my opinion, the highest and best use of the property in the vicinity of this proposed quarry is that stated in the Leavenworth County comprehensive plan, i.e., rural residential lots of 2 1/2 acres or larger. Use for this purpose will bring the highest return and value to the owners of that property.
- 4. That the approval of an open quarry and mining operation, which will have certain consequences for the neighborhood, namely, dust, noise and industrial traffic, will depress the sale of the land for rural residential purposes and impair lots to the extent of approximately 20% to 80%, depending upon location and topography.
- 5. That the properties south and west of Loring Road will have little value for residential purposes during the life of the quarrying and mining operation and will, as a practical matter, not be saleable for its current highest and best use.

FURTHER AFFIANT SAITH NOT.

/s/ DRAFT - Original to be submitted at hearing
Gary L. Gurss

SUBSCRIBED AND SWORN TO before me this ____ day of July, 2002.

Notary Public

PROPOSED LENAPE SAND QUARRY AREA OF IMPACT ANALYSIS

From the LVCO Staff Analysis:

Adjacent Residences	The majority of adjacent residences are close to one half mile to the north of the
	proposed development. The proposed development is located within the floodway
	and in an area of the County zoned for Heavy Industrial.

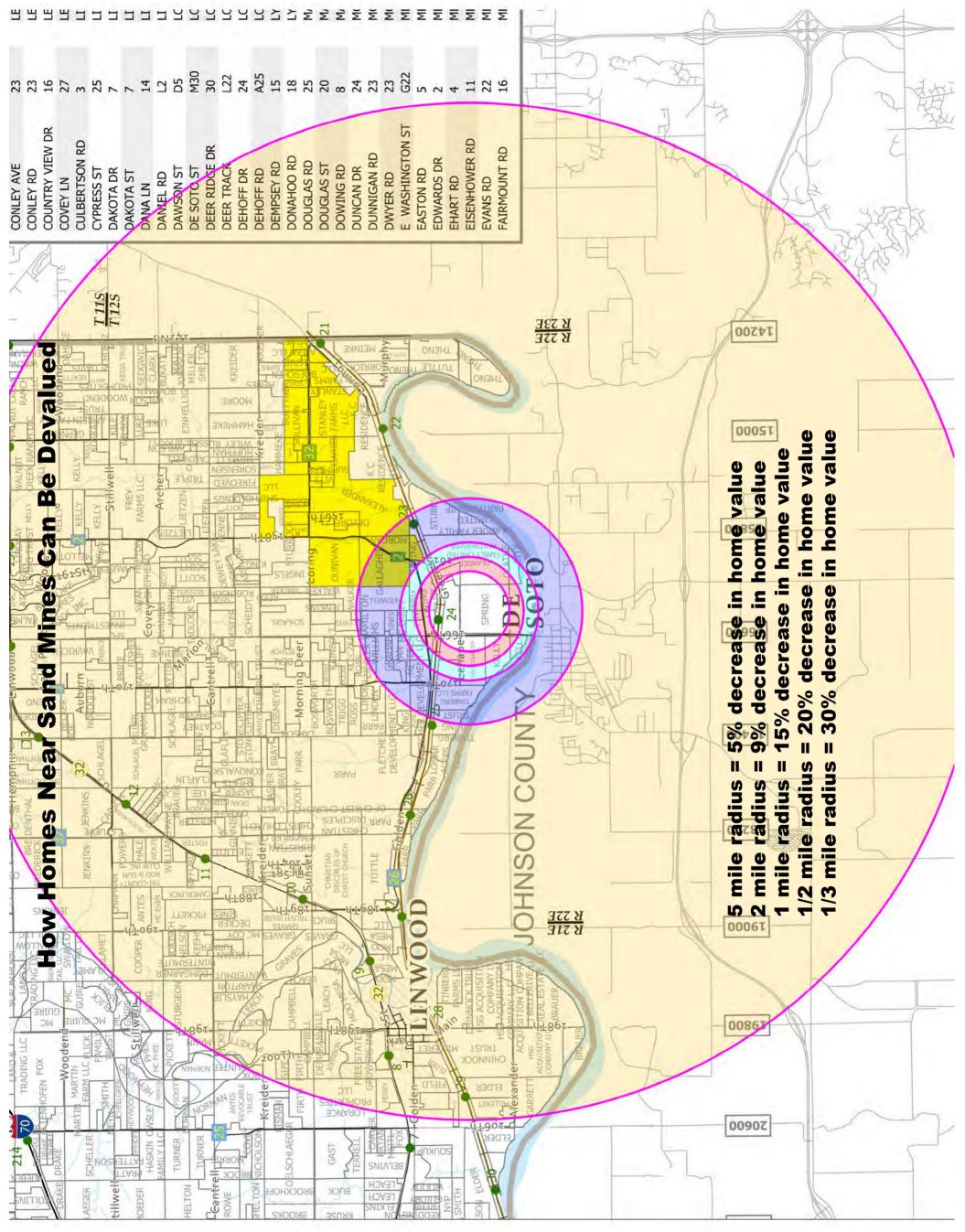
This statement appears misleading. If $\frac{1}{2}$ mile range is applied as a circle on the center of 224 acres, the statement above is true (See Figure Below). If all of the activities associated with this Special Use Permit were directly located in the center of the land, there would be no flaw with this approach. However, looking at a $\frac{1}{2}$ mile distance from the border of the area of disturbance, this creates a much larger area of impact and includes multiple businesses, parks, and residents.



From the LVCO Staff Analysis:

Nearby City Limits	The City of Linwood is approximately 3 miles to the west of the proposed	
	development.	

As indicated in the figure above, Desoto is less than a half a mile away from the site.



RICK W. FRIEDERICH, CPA 15225 161ST STREET BONNER SPRINGS, KANSAS 66012

June 9, 2020

The Honorable Board of County Commissioners Leavenworth County Kansas 300 Walnut Street Leavenworth, KS 66048

Dear Members of The Board of County Commissioners:

My name is Rick Friederich and I am a Board-Certified Public Accountant with 39 years of accounting and corporate finance experience. I am writing to express my concern re: the economic cost to the county, and its taxpayers, associated with the Kaw Valley Companies, Inc. Lenape Sand Quarry proposal.

In 2012, my wife and I moved to Leavenworth County after living over 28 years in Johnson County. We were attracted to the natural beauty the county offers and have loved living here. My background includes 12 years practicing full time as an independent CPA and a 25-year career in the pharmaceutical industry serving in various senior level corporate finance roles. I have been a principal shareholder in two privately held businesses that were built from the ground floor up and have made a career out of analyzing business proposals and acting on them accordingly. I consider myself to be pro-capitalism and pro-business but am struggling to find any economic justification for the county to approve the Lenape Sand Quarry proposal.

Over the course of my career I have prepared hundreds of financial analyses to assist with business decision making and I have reviewed the Lenape Sand Quarry (LSQ) proposal, as summarized in the Executive Summary presented to you by Kaw Valley Companies, Inc. To keep this response short and to the point, I have prepared a simple "cost versus benefits" presentation that is a straight-forward approach to communicate my concerns re: Kaw Valley's LSQ business proposal. (see Exhibit 1 attached)

My research indicates that although the project would provide a business benefit to Kaw Valley and the Carolyn E. Spring Trust, there is no indication the proposal provides any positive impact to the county or its residents at large.

Let me explain.

- (1) The proposal would not provide any measurable increase in county wide employment.
- (2) Although the county would realize additional revenues by way of an "annual fee", increased tax revenue for industrial versus agricultural use assessment, and a designated "tonnage tax", my analyses indicates those revenues would likely be more than offset by increased road maintenance expense and lost revenue resulting from the negative impact Kaw Valley's sand quarrying operation would have on property values within a three-mile radius of quarry site.

RICK W. FRIEDERICH, CPA Cell: 913-220-0972 Leavenworth County Board of Commissioners June 9, 2020 Pg. 2

- (3) My understanding is that cost for road upgrades required to support the LSQ proposal is dependent on answers to a host of questions (e.g., what is the current condition of the road, what is the underlying condition of the existing roadbed, are there shoulders, if no shoulders exist how steep are existing conditions that would need to be filled in to create adequate shouldering, etc.). Admittedly, it is not clear to me what the capital cost would be to modify existing roads to accommodate heavy truck traffic. However, in reviewing this with contractors who are knowledgeable of area road conditions the consistent theme is that it likely would require a significant financial undertaking which, to put it bluntly, would not come cheap. The following generic cost estimates were provided:
 - Rural New Construction Undivided 2 Lane Rural Road with 5' Paved Shoulders \$1,713,007 per mile
 - 200-250 per linear foot for grading, 8" asphalt with a 6' ab3 shoulder total cost between \$1-1.25 million per mile
 - Milling and Resurfacing 2 Lane Rural Road with 5' Paved Shoulders \$416,437 per mile

For this presentation, an average of the two lowest cost points has been used as an estimate for upgrades required to support the LSQ proposal = \$750,000 per mile.

- (4) An additional capital cost that absolutely cannot be ignored is the permanent impact the LSQ proposal would have on property values within a three-mile radius of quarry site. Utilizing the findings of a study conducted by Auburn economics professor Diane Hite it is reasonable to estimate that *property values within a three-mile radius could decline by as much as \$7.4 million*. This would be a significant expense to the public for the benefit of a private business. (see Exhibits 2 and 4 attached). Also see (Exhibit 5) as further support for substantial decline in property values.
- (5) A review of the county Sales Tax Fund No. 171 indicates that one-time RIF and TIF fees generated by new development in Sherman Township are essentially double that of the next closest township (Fairmount) \$810,426 versus \$423,413 (see Exhibit 3 attached). It should also be noted the same Sales Tax Fund report indicates RIF and TIF fees generated by all other townships combined (Alex, Delaware, High Prairie, Reno, Stranger, and Tonganoxie) total \$199,741. The point being, it appears residential development in Sherman Township is significantly greater than other townships. An objective economic development consideration to the Board is how much of this growth will cease if the LSQ proposal is approved?

In conclusion, I want to again emphasize I am pro-business – but only in those cases in which a business enhances economic stability by creating jobs and prosperity for the residents and county at large. In comparing the benefits of Kaw Valley's LSQ proposal against estimated costs, objectively speaking, I do not see any positive economic impact the quarry will bring to Leavenworth County and am struggling to find any economic justification for the Board to approve the Lenape Sand Quarry proposal.

The remainder of this letter includes Exhibits and documentation supporting the financial data and cost estimates presented.

Respectfully submitted,

Rick W. Friederich, CPA

RWF/jlf Attachments

Exhibit 1

Cost Benefit Summary

Kaw Valley Lenape Sand Quarry Proposal

	Bene	fit to County	Co	st to County	Net 0	Cost to County
Annual Revenue						
Increased revenue - "Annual Fee" (note 1)	\$	50,000				
Increased revenue - industrial vs. agriculture assessment						
(note 2)		22,925				
Increased revenue - "Tonnage Tax" (note 3)		75,000				
Estimated increase in annual road maintenance			\$	(75,000)		
Estimated loss in annual tax revenue - existing 3 mile				W 32 252		
radius properties (see Exhibit 2)				(165,557)		
Estimated loss in annual tax revenue - loss of new						
development Sherman Township (note 4)	_		_	(80,000)		
Subtotal - annual revenue	\$	147,925	\$	(320,557)	\$	(172,632)
Capital Cost	-					
Cost of road modification (note 5)			\$	(2,250,000)		
Decrease in property values - 3 mile radius (see Exhibit 2)			_	(7,404,753)		
Subtotal - capital cost	\$		_	(9,654,753)	-	(9,654,753)
Estimated Total Cost to County & Taxpayers				-	\$	(9,827,385)

note 1 - per Kaw Valley Executive Summary

note 2 - 225 acres @\$4,000 acre revalued for industrial classification @ 25% assessed rate @ 123 mill levy net of existing ag based tax of \$4750

note 3 - 2,000 tons/day @ 15 cents/ton @ 250 business days year

note 4 - development loss - 20 new homes @ \$300k assessed value @ current mill levy

note 5 - 3 miles @ \$750,000 per mile

Exhibit 2 Estimated Impact on Property Values and Annual Property Tax collections Kaw Valley Lenape Sand Quarry Proposal

Miles from Kaw Valley Site	Number of Properties Affected		Current Appraised Value (note 1)	Estimated % Loss in Property Value (note 2)	mated \$ Loss roperty Value	Est	imated Decrease in Annual Tax Revenue (note 3)
1/3rd mile radius		33	\$ 4,760,741	30%	\$ 1,428,222	\$	22,916
1/2 mile radius	1	12	2,946,290	20%	589,258		8,120
1 mile radius		55	8,938,850	15%	1,340,828		22,282
2 mile radius	20	05	4,216,606	10%	421,661		63,103
3 mile radius	37	72	72,495,700	5%	3,624,785		47,710
	6	77	\$ 93,358,187		\$ 7,404,753	\$	164,131

note 1 – properties identified using the Leavenworth County Interactive GIS Map – http://leavenworth.kansasgov/gis
note 2 – based on study conducted by Auburn economics professor Diane Hite and referenced by US Senator Jim Webb (see Exhibit 4 & 5 attached)

note 3 - based on current assessed values and tax rates per Leavenworth County website - http://leavenworth.kansasgov/tax

2/20/2020

N	1
+	
416	
M	1

COUNTY WIDE SALES TAX - FUNDING 171 - CAPITAL ROAD PROJECTS

DATE DESCRIPTION	Other	BOND	PROCEEDS, TEMP NOTE	SALES TAX REVENUE	INTEREST	Legal Services (230)	Cost of Issue- EXPENSES (401)	Trans Out for P & I Payments	Miscel	147TH Street EXPENSES (201-303)	Epxenses (201- 303)
1174/2019 Reimb From Nansas Cas Service 11/6/2019 BHC Rhodes, CK#1459											\$1 141 36
11/5/2019 Schlagel & Assoc CK#1460									Ī		
11/20/2019 Obson On Call Engineering CK#1462									\$18 766 44		
11/27/2019 BHC Rhodes CK# 1463											\$3 682 81
12/10/2019 Jake LaTurner, Gen Obli Bonds, CK#1465							\$580.00				
12/10/2019 Standard & Poor's, Series 2019-1, CK#1466							\$8,000,00				
12/10/2019 Wilson & Co. Ersenhower, CK#1467											
12/13/2019 Gitmore & Bell Legal Services, CK#1458							\$24 000 00		Ī		
12/13/2019 King's Const. Final Pint. CK#1469									Ī	\$53,040.39	
12/13/2019 National Sign Co. CK#1470											
12/13/2019 Strei Nicolaus & Co G O Temp Notes Ck#1471							\$26,310.00				
12/19/2019 Inaweaver Const. CK#1473							91.63000				\$294 614 75
12/20/2019 Interest Earned					\$ 109 50						D 10 10 10
12/2/2019 Interest Earned					\$1,261.30						
12/31/2019 Sales Tax Revenue for December				\$325,863.61							
12/11/2019 Temporary Notes Proceeds			\$8 911,271 04								
12/30/2019 Temporary Notes Proceeds			\$90,000,00								
12/27/2019 Trans In Alex Twp Road Impact Fees	\$6,851.44										
12/27/2019 Trans in Alex Twp Traffic Impact Fees	\$6,711.96										
12/27/2019 Irans in Delaware Twp Road Impact Fees	\$15,938.37										
12/27/2019 Irans in Farmount two Trans impact Fees 19/27/2019 Trans to Farmount Two Road impact Fees	\$30,400 58	7 8 423.4	4113						Ì		
12/27/2019 Trans In High Prairie Two Traffice Imp Fees	\$13.144.59										
12/27/2019 Trans In High Prairie Twp Road Imp Fees	\$13,097 65										
12/27/2019 Trans in Reno Twp Road impact Fees	\$42,687,44										
12/27/2019 Trans In Sherman Twp Traffic imp Fees	\$194,784 86	7 6001	426								
12/27/2019 Trans In Sherman Twp Road Imp Fees	\$615,640.77	101									
12/27/2019 Trans In Stranger Twp Traffic Imp Fees	\$11,139.56										
12/27/2019 Trans In Stranger Twp Road Imp Fees	\$54 218 06										
12/27/2019 Trans In Tonganoxie Twp Traffic Imp Fees	\$18 156 23										
12/27/2019 Trans In Tonganoxie Lwp Road Imp Fees	\$17 735 49								Ì		
12/30/2019 Linaweaver Const Charleta									0 100 100	Ī	\$48,114.00
1/10/2020 Wilson & Co. Etsenbower CK#1476									\$18,783.10		
1/17/2020 Olsson On Call Engineering, CK#1477									\$17.983.13		
1/3/2020 Interest Earned					\$2,813.06						
1/31/2020 Sales Tax Revenue for January				\$349 107 84							
TOTAL S TO DATE	52 130 444 23	517 994 904 25	\$9 001 271 04	511 363 155 65	6197 379 20	\$153 102 40	6222 000 26	C4 038 400 66	CE 7E1 BBB 00	40 100 100	00 000 000
0.000	94, 130, 444, 63	CV 406'406'116	20172100,00	000000000000000000000000000000000000000	25.50	9103,132,40	67.660,7626	24,036,192,56	95,751,888.96	37,853,387,84	54,669,398.99

COMMITTEE ON

WASHINGTON OFFICE: WASHINGTON, DC 20510 (202) 224-4024

United States Senate

FECFINED OCT

1 2008

ARMED SERVICES
COMMITTEE ON
FOREIGN RELATIONS
COMMITTEE ON
VETERANS' AFFAIRS
JOINT ECONOMIC COMMITTEE

WASHINGTON, DC 20510-4605

September 29, 2008

R. David Laurrell Campbell County Administrator PO Box 100 Rustburg, VA 24588

Dear Mr. Laurrell:

Enclosed is correspondence from my constituents in reference to a matter to go before the Campbell County Board of Supervisors for consideration. Their letter concerns Boxley Materials' application to rezone parcel 41-A-120 from Residential Single Family/Agricultural to Heavy Industrial.

Please review their letter and give every appropriate consideration and review my constituents' request in accordance with all rules, regulations and laws applicable to this request. Your attention to this matter is greatly appreciated.

Please send any correspondence to my Roanoke office. In your reply, please reference Dwight S. and June E. Beaver.

With kind regards, I remain

Sincerely,

Jim Webb

United States Senator

JW:dl Enclosure

Copy: Mr. and Mrs. Dwight S. Beaver

U.S. Sanator Jim Webb Romoker Jijias 3140 Gnaparisi Jitya Roanoke, Va santa (840) 778-4830

Methodological Approach to Estimating the Impact on Housing Values of the Proposed Gravel Mine

Many factors influence housing prices. These include, of course, the characteristics of the house or dwelling unit, such as size, age, lot size, number of bedrooms and bathrooms, as well as its upkeep. In addition, the house's proximity to amenities such as a lake or pleasing neighborhood or "disamenities" (e.g. landfills, pollution sites) can have a substantial impact on its price.²

Economists have found that "hedonic pricing models" are extremely useful in isolating the contribution of specific factors on the price of housing, as well as other goods. First developed by University of Chicago economist Sherwin Rosen in 1974, hedonic pricing models use a statistical regression technique that allows the researcher to estimate the impact of one factor, e.g. the proximity of a neighborhood park, on the value of a house while holding all of the other factors impacting the house's value constant. There is an extensive literature applying hedonic pricing models to study the effects of environmental disamenities on residential property values. These studies generally show that proximity to landfills, hazardous waste sites, and the like has a significant negative effect on the price of a residential property.³

Professor Diane Hite, an economist who has published widely in the area of property value impact analysis, has recently applied hedonic pricing methodology to study the effects of a gravel mine on nearby residential values. This appears to be the only rigorous study to date of gravel mine impacts on property values. Her study is based on detailed data from Delaware County, Ohio that were collected by the Ohio State University for the purposes of studying land use planning.

Hite examines the effects of distance from a 250-acre gravel mine on the sale price of 2,552 residential properties from 1996 to 1998. Her model controls for a large set of other factors that determine a house's sale price, including number of rooms, number of bathrooms, square footage, lot size, age of home, sale date, and other factors specific to the locality, so that she can focus solely on the effect of proximity to the gravel mine on house values. She finds a large, statistically significant effect of distance from a gravel mine on home sale price: controlling for other determinants of residential value, proximity to a gravel mine reduces sale price. Specifically, Hite reports that the elasticity of house price with respect to distance from a gravel mine is .097, implying that a 10 percent increase in distance from the gravel mine is associated with slightly less than a 1 percent increase in home value, all else the same (Appendix A). Conversely, the closer the house to the proximity to the mine, the greater the loss in house value.

² In a recent study of the impact of housing programs in the City of Kalamazoo, we found that moving a house from one neighborhood to another can add or subtract as much as \$20,000 from its value.

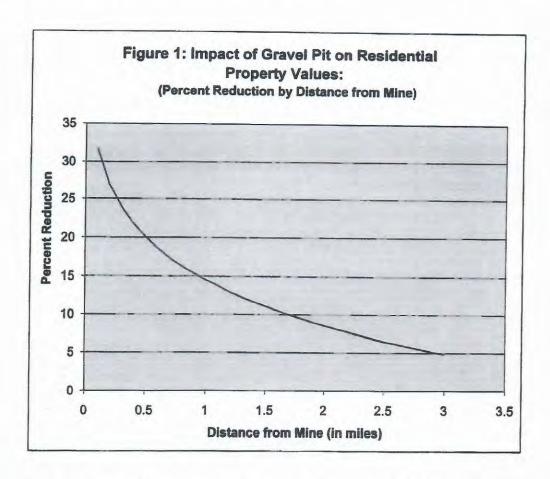
County, Ohio," Auburn University.

³ For reviews of some of this literature, see Arthur C. Nelson, John Genereux, and Michelle Genereux, "Price Effects of Landfills on House Values," Land Economics, 1992 68(4): 359-365 and Diane Hite, Wen Chern, Fred Hitzhusen, and Alan Randall, "Property-Value Impacts of an Environmental Disamenity: The Case of Landfills," The Journal of Real Estate Finance and Economics 22, no. 2/3 (2001): 185-202

⁴ Diane Hite, 2006. "Summary Analysis: Impact of Operational Gravel Pit on House Values, Delaware

⁵ This estimate is based on a constant elasticity model specification. At the Upjohn Institute's request, Professor Hite tested the sensitivity of these findings to model specification, and in all specifications finds a large, statistically significant negative effect of proximity to gravel pit on house prices. The simulations for Richland Township reported below are based on the estimates from the constant elasticity specification and yield slightly lower estimated negative property value impacts than those based on models using other functional forms. We consider this number to be a conservative estimate.

Figure 1 displays the estimated effects of distance from the gravel pit on house price. A residential property located a half mile from the gravel mine would experience an estimated 20 percent reduction in value; one mile from the mine, a 14.5 percent reduction; 2 miles from the mine, an 8.9 percent reduction; and 3 miles from the mine, a 4.9 percent reduction. These estimates are similar to estimates published in academic journals on the effects of landfills on nearby property values.



The loss in property value results from the negative consequences of the mining operation and reflects the deterioration in the area's quality of life due solely to the operation of the gravel mine. In other words, the loss in house value is a way to quantify in dollars the deterioration in quality of life, as capitalized in the price of the house. It captures the price reduction the homeowner would have to offer to induce a new buyer to purchase the property. Even if homeowners do not move as a result of the gravel mine, they will lose homeowner equity as the potential sale price of their house is less. Therefore, regardless of whether or not a person actually sells their property, it measures

⁶ Only those owning property at the time of the establishment of the gravel mine would experience a loss in equity. Those purchasing property near an established mine would not experience an equity loss because any negative effects from the mine's operation would have been incorporated into the purchase price. By implication, few property owners near long-established mines could claim loss of property value from the mine because few would have owned the properties at the time the mine went into operation.

Exhibit 5

STATE OF KANSAS

SS.

AFFIDAVIT OF DAVID THIEL

COUNTY OF LEAVENWORTH

David Thiel, of lawful age, being first duly sworn, on his oath, states as follows:

- That he is licensed realtor with a practice devoted primarily to rural Leavenworth County.
- 2. That he has had numerous sales and listings of property in Sherman Township and in the area of Loring Road west of Bonner Springs, Kansas; that many of the lots have been rural residential lots of 2.5 acres or larger.
- 3. That, as a result of his experience in listings and sales, he is familiar with the values of property for residential purposes in the Loring Road neighborhood.
- 4. That sales of raw ground for lots of 2.5 acres, and more, customarily bring a price of somewhere in the neighborhood of \$5,000.00 to \$15,000.00 per acre, more or less, depending upon location, topography and other factors.
- That, if the property south and west of Loring Road is planned and rezoned for I-3, the property will have no value for residential purposes and only speculative value for industrial purposes.
- 6. That properties adjacent to the rezoned section south of Loring Road can reasonably expect to suffer impairments of value for residential purposes in the neighborhood of 50% or greater.

FURTHER AFFIANT SAITH NOT.

SUBSCRIBED AND SWORN TO before me this 34 day of April,

2002 by David Thiel.

My commission expires:

2.35 04

CHERYL L. TUCKER

Economics

In this section are documents, communications, and commentary about the possible economic ramifications of the Lenape Sand Quarry. Included are a:

correspondence from the LV County Appraiser's office

correspondence to LV County treasurer (dated June 26, 2020)

report on preparing for LV County's future

summary of surety bond safeguards

BOCC commissioner's assurance of due diligence

BOCC commissioner's vision of the future of southeastern LV County (two documents)

LVCO APPRAISER'S ASSESSMENT OF LENAPE SAND QUARRY PROPOSAL

From: "Buchanan, Mark" < MBuchanan@leavenworthcounty.gov>

Date: January 21, 2020 at 2:58:52 PM CST

To: "XXXXXX@gmail.com" <XXXXX@gmail.com>

Subject: Sand pit

In response to your e mail about parcel 235-22-0-00-00-004.00, if the sand pit is approved and begins operation, the part used for the sand pit and support area will be classified as commercial/industrial and valued at market value for the land plus any improvements attached to the ground. The appraisal date in Kansas is January 1st of the tax year so for 2020 the entire parcel will remain taxed as agricultural land. It is my understanding that the project as purposed is for the 160 acre tract southeast of 166th and Lenape and that the rest of the ground will remain in production. It is also highly likely that some of the 160 acre tract may remain in agricultural production in the beginning. As long as the land is still being actively farmed that portion will continue to be taxed as agricultural land.

After we became aware of the potential project in our county, we researched how other jurisdictions valued similar operations. From research and conversations with other counties most seem to start at market value for the land(what it would sell for) and have a residual value when the project is used up. There are several active and former sites in Wyandotte, Johnson, Jefferson and Shawnee Counties. Right now (1,1,2020) if the entire parcel were removed from ag use it would be valued between \$4,000 and \$5,000 per acre. A smaller tract say 10 or 20 acres would carry a higher per acre amount. But it is river bottom ground and that limits the uses and therefore the value.

We could learn something in the future that may change our opinion value or the value of that type of ground could change. In all the conversations we have had with anyone we have cautioned against expecting a lot of property tax revenue from the real estate. Even if we used 160 acres at \$5,000 per acre that equals \$800,000 value. Assessed at 25% equals \$200,000 and the 2019 mil-levy was .118114 to equal \$23,622.80 property taxes. Also remember that the county only receives a portion of that around 38% I think.

Mark Buchanan, Deputy County Appraiser

--------When does the Spring property actually have value? If it is AG land before the pit and worthless after - when does it have value? Maybe when the surface is stripped and before it is mined? A very short period of time. Ridiculous.

McDonald 1 MAR 2020

Nancy Carpenter

Cost associated with Lenape Sand Quarry Proposal

June 26, 2020	
to treasurer, bocc, David, Mark	

Good morning -

The packet that has been posted about the upcoming hearing on the Lenape Sand Quarry proposal indicates that:

"To date, the County has invested \$24,960.50 in professional review fees via Olsson regarding this application. This amount does not include County Staff time and efforts."

I realize that the County has a consulting budget for the review of proposed projects. Is this a typical expenditure for proposals? Does an applicant bear the cost or is this all taxpayer money? Is there a record of how much is spent by the County on other application driven projects during the planning process?

Thank you for your consideration.

Nancy Carpenter

I ask that this letter be added to the public record file for DEV 19-008.

PREPARING LEAVENWORTH COUNTY FOR THE FUTURE

Have we missed the big picture?

A good deal of effort has been put into esma ng ho w many trucks will be added to southern Leavenworth County roads if the Lenape Sand Quarry project is approved. To date, we sll do not kno w how many addional truck s will come from Kaw Valley customers, nor do we know who will monitor the truck volume or what penales will be imposed if the limits ar e breached. These are all relevant quesons tha t need to be addressed.

But the people involved in Leavenworth County government including commissioners, staff members, and constuen ts, have allowed this discussion to become much too narrowly focused. There is a much bigger picture we need to consider.

Growth

In the Kansas Statewide Freight Plan¹ published in September 2017 by the Kansas Department of Transportaon (K DOT), Kansas counes were ranked by projected populaon growth in the 30-year period between 2014 and 2044. Leavenworth County was projected to have the fih highese trojected growth rate of all counes in the setate, with a projected growth rate of 34.3%. As the populaon grows, more children are being bused to school, more cars are on the road, and more houses are being built to accommodate the growth.

In the same study, intra-state truck traffic was also projected to grow by 30.8%. That projected growth rate was specific to trips that originate and deliver within the state (not imports or exports). Intra-state truck tonnage in 2014 was 153,396,620 tons. A projected growth rate of 30.8% would result in 200,685,836 tons hauled within the state by 2044. The addional tonnage was not specific to our county, but higher populaon growth within the county will logically drive a significant poron of this increase.

A changing world

The Kansas Freight Advisory Commi ee (KFAC) was organized in 2014 as a private sector partner to KDOT. The Commi ee advocates for a seamless mulmodal fr eight transportaon s ystem for the efficient and safe movement of Kansas products locally, naonally , and globally.

KFAC held a scenario planning workshop in 2016 where members discussed potenal global scenarios and what those scenarios would mean for the future of Kansas. Members idenfied what t Kansas could do to successfully capture, migate, or limit the impact of the unique opportunies presented by each scenario. Two of the scenarios included a Hungry World Scenario and a Global Market Scenario.

For each scenario, members discussed relevant issues that were likely to occur, and the corresponding impact on the transportaon indus try to support resoluon or mig aon of that issue.

While we don't know for certain what the future holds, it seems likely that both a Hungry World scenario and a Global Market scenario will occur at some point, at least to some extent.

We have already been impacted by the growth in our own county, as well as by changes in our world. The growth and the changes will connue. We should be thinking long term and ancipaing how to prepare for and take advantage of opportunies that t will certainly come.

How should this change how we evaluate requests for special use permits?

Each request for a special use permit should be approved only if the proposed opportunity be^er posions Lea venworth County for the future. Rather than looking to the past to ensure we are consistent with how we have handled prior requests, we should be requiring that new businesses are doing their part to improve Leavenworth County infrastructure, not pushing it to its breaking point.

To ensure requests are handled consistently, similar scrun y should be applied as permits come up for renewal.

The Lenape Sand Quarry proposal is a single project whose proposed haul route will not posion Leavenworth County well for the future.

If this proposal was approved and implemented, and another company came along with a proposal that resulted in 200 more trucks per day along the same haul route, what raonale would be used to approve or deny that request?

Decisions made today must set precedents that are sustainable so that we are helping to prepare Leavenworth County for the future.

Sources

hp_s://www.ksdot.org/Assets/wwwksdotorg/bureaus/burRail/Rail/Documents/ KDOTPublicCommentFreightPlanWithAppendices.pdf

BONDING

Many risks and concerns related to the proposed Lenape sand quarry have been presented to the BOCC and the Leavenworth County staff. There are also many statements that have been made by Kaw Valley in the applicaon process that do not appear to be enforceable, or do not have a consequence if not fulfilled or adhered to.

The following issues need to have bonding as insurance by Kaw Valley. Otherwise, who will be responsible for the costs when things do not go as planned? There have been commitments of efforts in place to prevent the following issues, but Leavenworth County needs to have the wisdom and foresight to ask, "What If?".

- Reclama0 on of the proposed sand quarry site The United States Department of the Interior typically requires bonding and insurance for surface mining reclamaon oper aons. h ps://www.ecfr.gov/cgi-bin/text-idx?
 SID=d3e777b003029d3f64dd6d6139492287&mc=true&node=pt30.3.800&rgn=div5#_top If Kaw Valley neglects to, or is financially unable to reclaim the mining site, who will be liable to pay for this costly undertaking? Will the abandoned mine be a permanent eye-sore at the south gate to Leavenworth County? There must be bonding in place for Kaw Valley to restore the site, or to make acceptable.
- Municipal water wells It could only take ONE spill or leak to contaminate the water wells that many ciz ens in DeSoto, Olathe, and other parts of Johnson County rely on. While the water from these wells is tradionally sen t to treatment facilies, an intensified level of treatment could be costly over me. Who will be liable to pay for this? There must be bonding in place for Kaw Valley to pay for any addional costs incurred by the municipalies that incur addional treatment costs.
- Private water wells It could only take ONE spill or leak to <u>permanently</u> contaminate the water wells that many neighboring residents rely on for water. This water is the only opon a vailable for these residents. What is the soluon if these w ells are permanently contaminated? Who will pay for the costly alternav e of installing rural water supply to these residents? <u>There must be bonding in place for Kaw Valley to pay for any costs incurred as a consequence of well water contaminaon</u>.
- Drainage District sp ulao ns There are many requirements that Kaw Valley must agree to in an effort to avoid negav ely impacing the Lenape Dr ainage District. Who will pay for the costly restoraon of the floodw ay and the drainage of the surrounding area if Kaw Valley neglects to, or is financially unable to execute this? There must be bonding in place for Kaw Valley to pay for any costs incurred to restore the lands within the Drainage District.
- Road maintenance and restora0 on The roads along the hauling route will not withstand the punishment of the truck loads over me. If K aw Valley neglects to, or is financially unable to repair and restore the roads af er, or during the mining process, who will be liable to pay for this? Will Leavenworth County and its taxpayers be forced to make these expensive repairs because an agreement was not upheld? There must be bonding in place for Kaw Valley to pay for any costs incurred to the roads.

February 19, 2020

Good evening Commissioner Schimke,

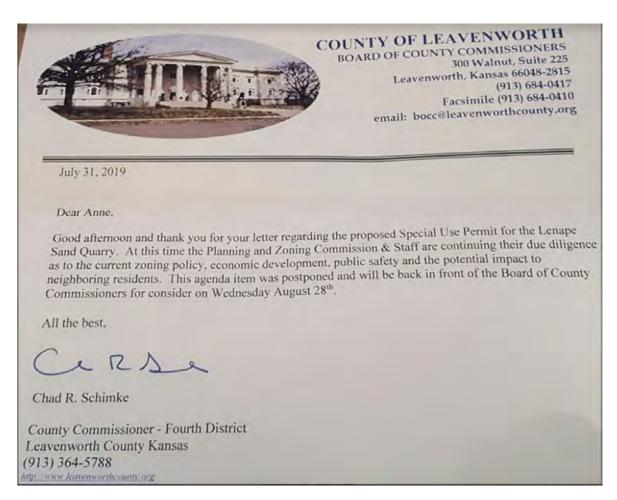
Combing through documents relating to the proposed sand quarry, I came across your 7/31/19 letter to a constituent (pictured below). In it, you mention "...Planning and Zoning Commission and staff are continuing their due diligence as to the current zoning policy, economic development, public safety and the potential impact to neighboring residents."

I look very forward to a time when Leavenworth County residents can hear what you've learned, especially with regard to economic development, public safety and impacts to neighboring residents.

I will gently point out that, to date, I believe no information -- beyond hunches and guesswork -- exists about the real economic impacts of the proposed Lenape Sand Quarry to Leavenworth County.

Thank you for your continued dialogue about this critical issue,

Sarah Williams



February 20, 2020

From Commissioner Schimke:

Thank you for your email Sarah. While I cant argue there has been lots of speculation and feelings shared on the issue I remain focused on the facts.

Have a great day.

February 20, 2020

Thank you, Commissioner Schimke, for your response. I request that my reply, below, be included in the public record for SUP application DEV-19-008, the Lenape Sand Quarry.

On 10/16/2019, Nancy Carpenter submitted the following email request to County Counsel: "the second [request] was for documents from various departments that discuss and/or evaluate the economics of the Lenape Sand Quarry proposal. Having received nothing from this request, dare I assume that no economic evaluation has been completed?"

On 10/18/2019 Mr. VanParys responded: "No documents or records are maintained by the county that meet your request. Such documents may have been prepared by other entities."

Delving a bit further, Nancy then wrote to Steve Jack of LCDC: "I am also curious if Kaw Valley has reached out to the Development Corporation beyond their initial inquiry about taxes." On January 13th, his response was, "We've had no contact with Kaw Valley since their initial inquiry with us several months ago."

Financial facts, in this case, do not seem to exist.

How can a proposal of such magnitude and with far-reaching and long-lasting negative ramifications for thousands of taxpayers progress more than one year through the application process without an economic benefit analysis?

I am relieved to hear you are sticking to the facts around this issue. What a wonderful day it will be when they become shareable with the public.

Very respectfully,

Sarah Williams

From: "Culbertson, Jeff" <jeffc@leavenworthcounty.gov>

Date: January 19, 2020 at 11:18:38 PM CST

To: <xxxxxxxx@gmail.com>
Subject: Re: No - on Sand Pit

No benifit? They would increase our tax base which lowers YOUR property taxes. That's always one of my big goals.

They will create about a dozen new jobs and keep several hundred truck drivers working.

Road issues? They are going to spend about a million dollars on improving county roads out of their pocket so YOU (Leavenworth county taxpayers) don't have to pay for it. This includes replacing bridges, culverts, guard rails, shoulders and asphalt surfaces. AND they are going to pay for maintaining those particular roads for you over the next 20 years so the county doesn't have to use YOUR tax money for it. The 3 miles of road they will be sharing must be kept in tip top shape constantly as part of the agreement.

Health issues? I'm at a loss what you mean by that? Can you explain? Maybe something I missed in all the homework I've done as far as any possible health risks? Please get back to me with your concerns? If you are talking about "breathing in silica dust"? I talked to the EPA, KDHE and a couple private companies on that issue. Silica dust is only created from post processing sand. This plant is only mining raw sand and not doing any kind of post processing, grinding, cutting or creating silica dust in any way. So there is no danger of exposing anyone to silica dust.

If your talking about contaminating water sources. No chemicals or toxins of any kind are used in sand mining. About the only chance of contaminating water sources would be run off from adjacent farmland fertilizers or pesticides into the dredge pond so berms will be built and monitored during operations to see that doesn't happen. Tainting underground aquafiers is next to impossible by the very nature of the process. Sand is a natural filter and purifier on its own. So water filtering through the sand ends up clean by natural process. We had the plans approved by all the proper state departments involved.

Maybe u are talking about health risks to the eco system on the river? This sand plant is not dredging in the river itself. They are going to mine an old dry riverbed next to the river which is a preferred method by the EPA and Corp of Engineers over dredging actually in the river specifically for protecting the environment and the natural eco system and aquatic habitats. If there's other health risks you're talking about please let me know so I can check them out. Thanks

Jeff

From: "Culbertson, Jeff" <jeffc@leavenworthcounty.gov>

Date: January 20, 2020 at 3:38:25 PM CST **To:** XXXXXX <XXXXX@gmail.com>

Subject: RE: Economics of industry proposals

Hi X,

I know if you call the county Appraiser they can tell you what the current appraised value is on the land and what it will be if it was a sand quarry.

On top of that there will be load fees per ton. Also a road construction and maintenance escrow amount in the proposal to take over the costs of the roads from the taxpayers responsibility.

There are also several new jobs created and keeping many existing jobs busy.

With any luck, it will spur a 'chain reaction' of related businesses next door. Cement plants usually pop up next door to sand plants. Manufacturers of concrete products usually come next (like highway medians or cement pipe companies, etc).

With any luck we can fill the industrial zone in the near future with many businesses. I think once a few get put in a rail spur could be next, river barge traffic?

It's just math. If the bills come to \$100 and 10 people are paying for it, each person pays \$10.

If there are 12 people paying for it, each person pays \$8.

We have a comp plan to tell us **where** to allow the new people.

Jeff Culbertson

1st District County Commissioner

Leavenworth County

Kaw Valley Violations

In this section are documents, descriptions, and commentary about violations and delinquencies credited to Kaw Valley Companies, Inc. Included are the:

MSHA (Mine Safety and Health Administration) report pulled prior to the July 10, 2019 PZ meeting

MSHA report pulled February 13, 2020 with a June 24, 2020 addendum

delinquent tax history report from Wyandotte County, Kansas

summary of some of the inaccuracies and inconsistencies in the application



Mine Citations, Orders, and Safeguards

147 CHATIONS

Current Mine Information

Mine ID: 1401

Operator: Kaw Valley Sand and Gravel, Inc.

Opr. Begin Date: 7/7/2006

End Date

Operator History for Mine ID: 1401667

Begin Date

Kaw Valley Sand and Gravel, Inc.

Operator Name

How do I use this information? Click Here

Mine Name: Kaw Valley Dry Plant #2

Current Controller: Ben G Kates

Controller Start Date: 7/11/1984

Mine Status: Active Status Date: 12/22/2016

Construction Sand and Gravel

Type of Mine: Surface

Mined Material:

Wyandotte County, KS

State: KS

Location:

PLEASE NOTE: The information provided by the Mine Data Retrieval System (MDRS) is based on data gathered from various MSHA systems. As there may be a lag time in data being entered into those systems, there will also be a lag in the reflection of that data on the

MDRS

Assessment data is not available prior to 1/1/1995.

Citations, Orders, and Safeguards

The current operator Kaw Valley Sand and Gravel, Inc. has been the operator since 7/7/2006

- Indicates violations pending hearings, appeals, and/or other actions.
- Indicates violations that have not yet been assessed.
 - These are non-assessable.

- Assessment Process Overview

Note: Vacated Citations are not included in any reports on the MDRS.

	Contractor	Citation/Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	Citation/ Order	જ જ	Standard	Proposed Penalty (\$)	Citation/Order Status	Current Penalty (S)	Amount Paid To Date (\$)
Kaw Valley Sand and Gravel, Inc.		9391946	000493121	4.16/2019		104(a)	4/16/2019	C	z	56.4102	121.00	Proposed	121.00	00.00
Kaw Valley Sand and Gravel, Inc.		9391947	000493121	4/16/2019		104(a)	4/16/2019	ວ	Z	56.12034	121.00	Proposed	121.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391948	000493121	4.16/2019		104(a)	4/16/2019	၁	Z	56,12028	768.00	Proposed	768.00	00'0
Kaw Valley Sand and Gravel, Inc.		9391920	000487252	3/6/2019	5/22/2019	104(a)	3/8/2019	၁	Y	56.14132(b)(2)	514,00	Delinquent	514.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391919	000487252	3/6/2019	5/22/2019	104(a)	3/6/2019	၁	Z	<u>56.14112(b)</u>	121,00	Delinquent	121.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391918	000487252	3/6/2019	5/22/2019	104(a)	3/6/2019	၁	z	56.14107(a)	154.00	Delinquent	154.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391921	000487252	3/6/2019	5/22/2019	104(a)	3/6/2019	v	z	<u>56.4200(b)(2)</u>	121.00	Delinquent	121.00	00.00
Kaw Valley Sand and Gravel, Inc.		9391922	000487252	3/6/2019	5/22/2019	104(a)	3/8/2019	၁	Z	<u>56.14100(b)</u>	121.00	Delinquent	121.00	0.00
Kaw Valley Sand and Gravel, Inc.		9345814	000475606	9/13/2018	11/21/2018	104(a)	10/15/2018	ပ	Y	56.5006	953.00	Delinquent	953.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391711	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	υ	Y	56.11001	953.00	Delinquent	953.00	0.00
Kaw Valley Sand and Gravel, Inc.		9345812	000475606	8/29/2018	11/21/2018	104(a)	10/24/2018	O	Z	62.120	286.00	Delinquent	286.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391710	000475606	8/29/2018	11/21/2018	104(a)	9/5/2018	υ	z	56.12008	177.00	Delinquent	177.00	0.00
Kaw Valley Sand and Gravel, Inc.		9391712	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	O	z	56,4201(a)(2)	177.00	Delinquent	177.00	0.00
Kaw Valley Sand and Gravel, Inc.		9345810	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	υ	Y	56.14102(a)	1,421.00	Delinquent	1,421.00	0.00
Kaw Valley Sand and Gravel,		9345813	000475606	8/29/2018	11/21/2018	104(a)	9/5/2018	O .	Y	56.11002	953.00	Delinquent	953.00	0.00

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Kaw Valley Sand and Gravel, Inc.	9345811	000475606	8/29/2018	11/21/2018	104(a)	10/16/2018	C	z	56.5002	638.00	Delinquent	638.00	0.00
Kaw Valley Sand and Gravel, Inc.	9391713	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	C	z	<u>50.30(a)</u>	118.00	Delinquent	118.00	0.00
Kaw Valley Sand and Gravel, Inc.	9391714	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	၁	z	56,12018	177.00	Delinquent	177.00	0.00
Kaw Valley Sand and Gravel, Inc.	9391709	000475606	8/29/2018	11/21/2018	104(a)	8/29/2018	C	z	56,12028	177.00	Delinquent	177.00	0.00
Kaw Valley Sand and Gravel, Inc.	9340392	000460581	1/25/2018	5/14/2018	104(a)	2/8/2018	O	¥	<u>56,14100(b)</u>	880.00	Closed	880.00	880.00
Kaw Valley Sand and Gravel, Inc.	9340391	000460581	1/25/2018	5/14/2018	104(a)	2/8/2018	Ö	¥	<u>56.14132(a)</u>	880.00	Closed	880.00	880.00
Kaw Valley Sand and Gravel, Inc.	9340393	000460581	1/25/2018	5/14/2018	104(a)	1/25/2018	C	Y	56.4201(a)(2)	880,00	Closed	880.00	880,00
Kaw Valley Sand and Gravel, Inc.	9340389	000460581	1/25/2018	5/14/2018	104(a)	2/8/2018	c	z	<u>56.14100(b)</u>	177.00	Closed	177.00	177.00
Kaw Valley Sand and Gravel, Inc.	9340390	000465032	1/25/2018	7/16/2018	104(a)	2/8/2018	o	¥	56.1410 <u>0(b)</u>	880.00	Closed	880.00	880.00
Kaw Valley Sand and Gravel, Inc.	9340508	000448336	8/1/2017	11/14/2017	104(a)	8/1/2017	O	z	56.4501	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9340509	000448336	8/1/2017	11/14/2017	104(a)	8/1/2017	၁	z	56.12004	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9340507	000448336	8/1/2017	11/14/2017	104(a)	8/1/2017	υ	z	56.17001	116.00	Closed	116.00	116,00
Kaw Valley Sand and Gravel, Inc.	9340506	000448336	8/1/2017	11/14/2017	104(a)	8/1/2017	٥	>	56.17001	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9340504	000448336	7/31/2017	11/14/2017	104(a)	8/1/2017	O .	z	56.4201(a)(<u>2)</u>	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc,	9340505	000448336	7/31/2017	11/14/2017	104(a)	7/31/2017	၁	z	56.12028	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9340502	000448336	7/31/2017	11/14/2017	104(a)	7/31/2017	၁	z	56.420 <u>1(a)(2)</u>	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9340503	000448336	7/31/2017	11/14/2017	104(a)	8/1/2017	С	z	56.12016	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel,	9300115	000426693 11/1/2016	11/1/2016	2/14/2017	104(a)	11/2/2016	S	z	56.17001	114.00	Delinquent	114.00	00.00

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Kaw Valley Sand and Gravel, Inc.	9300118	000432045	11/1/2016	4/18/2017	104(a)	11/1/2016	υ	z	56.14207	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	9300116	000426693	11/1/2016	2/14/2017	104(a)	11/2/2016	C	Z	56.17001	114,00	Delinquent	114.00	0.00
Kaw Valley Sand and Gravel, Inc.	9300114	000426693	11/1/2016	2/14/2017	104(a)	11/2/2016	υ	z	<u>56.4201(a)(2).</u>	114.00	Delinquent	114.00	0.00
Kaw Valley Sand and Gravel, Inc.	9300117	000432045	11/1/2016	4/18/2017	104(a)	11/2/2016	Ü	z	<u>56.14100(b)</u>	116.00	Closed	116.00	116.00
Kaw Valley Sand and Gravel, Inc.	8834100	000424485	9/13/2016	1/17/2017	104(a)	9/13/2016	C	Z	<u>56.14100(b)</u>	114.00	Closed	114.00	114.00
Kaw Valley Sand and Gravel, Inc.	8834099	000424485	9/13/2016	1/17/2017	104(a)	9/13/2016	υ	z	56.17001	114.00	Closed	114.00	114.00
Kaw Valley Sand and Gravel, Inc.	9300200	000424485	9/13/2016	1/17/2017	104(a)	9/14/2016	Ü	¥	<u>46.7(a),</u>	114,00	Closed	114.00	114.00
Kaw Valley Sand and Gravel, Inc.	8833647	000412853	5/12/2016	8/16/2016	104(a)	5/12/2016	υ	Z	<u>50,30(a),</u>	100.00	Delinquent	100.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936210	000386863	5/19/2015	8/17/2015	104(a)	5/21/2015	ن د	z	56.12004	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936212	000386863	5/19/2015	8/17/2015	104(a)	5/19/2015	Ü	z	56.11002	150.00	Delinquent	150.00	0,00
Kaw Valley Sand and Gravel, Inc.	8936208	000386863	5/19/2015	8/17/2015	104(a)	5/19/2015	υ	z	<u>56,4200(b)(2)</u>	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936209	000386863	5/19/2015	8/17/2015	104(a)	5/20/2015	υ	z	56.12018	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936206	000386863	5/19/2015	8/17/2015	104(a)	5/21/2015	Ö	Z	56.12002	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936207	000386863	5/19/2015	8/17/2015	104(a)	5/20/2015	C	Z	56.14100(b)	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8936211	000386863	5/19/2015	8/17/2015	104(a)	5/19/2015	Ü	Y	56.14107(g)	1,111.00	Delinquent	1,111.00	0.00
Kaw Valley Sand and Gravel, Inc.	8828905	000374405	1/5/2015	3/27/2015	104(a)	1/6/2015	C	Y	56.14112(a)(1)	150.00	Delinquent	150.00	0.00
Kaw Valley Sand and Gravel, Inc.	8828906	000374405	1/5/2015	3/27/2015	104(a)	1/6/2015	C	z	56.4102	100.00	Delinquent	100.00	0.00
Kaw Valley Sand and Gravel,	8828865	696998000	9/16/2014	1/12/2015	104(a)	9/16/2014	O	>	56,18002(a)	100.00	Delinquent	100.00	00'0

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Kaw Valley Sand and Gravel, Inc.	8828857	000366969	9/16/2014	1/12/2015	104(a)	9/16/2014	Ü	Z	56,12028	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828855	696998000	9/16/2014	1/12/2015	104(a)	9/16/2014	υ	Z	<u>56.4104(b)</u>	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828858	000369693	9/16/2014	2/16/2015	104(a)	9/16/2014	၁	z	56,14207	100.00	Delinquent	100.00	0.00
Kaw Valley Sand and Gravel, Inc.	8828861	696998000	9/16/2014	1/12/2015	104(a)	9/17/2014	O	z	56.12002	100.00	Delinquent	100.00	00.00
Kaw Valley Sand and Gravel, Inc.	8828864	000366969	9/16/2014	1/12/2015	104(a)	9/17/2014	C	Y	56,12002	334.00	Delinquent	334.00	0.00
Kaw Valley Sand and Gravel, Inc.	8828862	000369693	9/16/2014	2/16/2015	104(a)	9/16/2014	c	Y	56.15020	334,00	Delinquent	334.00	00'0
Kaw Valley Sand and Gravel, Inc.	8828860	696998000	9/16/2014	1/12/2015	104(a)	9/17/2014	C	Y	56.4102	100.00	Delinquent	100.00	00.00
Kaw Valley Sand and Gravel, Inc.	8828856	000366969	9/16/2014	1/12/2015	104(a)	9/16/2014	C	z	56.12004	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828859	000366969	9/16/2014	1/12/2015	104(a)	9/16/2014	C	>	(Z)(q) <u>11(9)</u> (Z)	1,111.00	Delinquent	1,111.00	355.74
Kaw Valley Sand and Gravel, Inc.	8828863	000366969	9/16/2014	1/12/2015	104(a)	9/16/2014	C	Z	56,12004	100.00	Delinquent	100.00	00:00
Kaw Valley Sand and Gravel, Inc,	8828851	000366969	9/15/2014	1/12/2015	104(a)	9/16/2014	C	Y	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828853	696998000	9/15/2014	1/12/2015	104(a)	9/16/2014	C	Y	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828850	69699£000	9/15/2014	1/12/2015	104(a)	9/16/2014	C	N	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828852	000366969	9/15/2014	1/12/2015	104(a)	9/16/2014	O	Z	56.16005	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8828854	000366969	9/15/2014	1/12/2015	104(a)	9/16/2014	C	Y	<u>56.20003(a)</u>	100.00	Closed	100.00	100,00
Kaw Vailey Sand and Gravel, Inc.	8760627	000348182	3/6/2014	5/21/2014	104(a)	3/6/2014	၁	¥	56.12005	150.00	Closed	150.00	150.00
Kaw Valley Sand and Gravel, Inc.	8760630	000348182	3/6/2014	5/21/2014	104(a)	3/10/2014	C	Z	56,14132(g)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel,	8760629	000348182	3/6/2014	5/21/2014	104(a)	3/10/2014	S	7	56.14132(a)	100.00	Closed	100.00	100.00

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Kaw Valley Sand and Gravel, Inc.	8760628	000348182	3/6/2014	5/21/2014	104(a)	3/10/2014	ပ	z	56,20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8759808	000321823	4/5/2013	6/21/2013	104(a)	4/5/2013	C	z	50.30(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594348	000319125	2/13/2013	5/24/2013	104(a)	2/13/2013	υ	z	50.30(a)	100.00	Closed	100,00	100.00
Kaw Valley Sand and Gravel, Inc.	8594347	000319125	2/12/2013	5/24/2013	104(a)	2/12/2013	Ü	z	56.12023	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594345	000319125	2/12/2013	5/24/2013	104(a)	2/12/2013	C	z	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594343	000319125	2/12/2013	5/24/2013	104(a)	2/12/2013	C	Y	56,11003	308.00	Closed	308.00	308.00
Kaw Valley Sand and Gravel, Inc.	8594344	000319125	2/12/2013	5/24/2013	104(a)	2/13/2013	o '	z	56.11001	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594346	000324516	2/12/2013	7/19/2013	104(a)	2/12/2013	C	z	<u>56.14100(b)</u>	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594247	000303752	6/5/2012	11/23/2012	104(a)	6/6/2012	ပ	Y	56.12017	1,111.00	Closed	1,111.00	1,111.00
Kaw Valley Sand and Gravel, Inc.	8594246	000295175	6/5/2012	8/23/2012	104(a)	6/19/2012	υ	z	56.4130(b)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594220	000286510	3/7/2012	5/24/2012	104(a)	3/7/2012	O	z	56.12002	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	8594219	000286510	3/7/2012	5/24/2012	104(a)	3/7/2012	C	¥	56.11012	308.00	Closed	308,00	308.00
Kaw Valley Sand and Gravel, Inc.	8588028	000278177	11/17/2011	2/23/2012	104(a)	11/17/2011	C	Z	50.30(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6593271	000258171	5/2/2011	7/21/2011	104(a)	6/13/2011	C	z	56.5001(a)/.5005	1,530.00	Closed	1,530.00	1,530.00
Kaw Valley Sand and Gravel, Inc.	6593272	000258171	5/2/2011	7/21/2011	104(a)	5/23/2011	၁	z	56.5002	1,530.00	Closed	1,530,00	1,530.00
Kaw Valley Sand and Gravel, Inc.	6593266	000255225	4/11/2011	6/24/2011	104(a)	4/12/2011	C	7	56.20003(a)	. 745.00	Closed	745.00	745.00
Kaw Valley Sand and Gravel, Inc.	6593267	000255225	4/11/2011	6/24/2011	104(a)	4/12/2011	Ü	z	56.12008	499.00	Closed	499.00	499.00
Kaw Valley Sand and Gravel,	6593217	000238474	000238474 10/14/2010	12/24/2010	104(a)	10/18/2010	Ö	z	56,12008	127.00	Closed	127.00	127.00

Kaw Valley Sand and Gravel, Inc.	6593218	000238474	10/14/2010	12/24/2010	104(a)	10/14/2010	O	Y	<u>56.14112(b)</u>	946.00	Closed	946.00	946.00
Kaw Valley Sand and Gravel, Inc.	6593219	000238474	10/14/2010	12/24/2010	104(d)(1)	10/14/2010	ပ	Y	56.9300(a)	6,996.00	Closed	6,996.00	6,996.00
Kaw Valley Sand and Gravel, Inc.	6459253	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	၁	Z	<u>56,14100(b)</u>	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459257	000222889	4/22/2010	7/23/2010	104(a)	4/23/2010	υ	Z	47.44(b)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459254	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	υ	Y	<u>56.14112(b)</u>	127.00	Closed	127.00	127.00
Kaw Valley Sand and Gravel, Inc.	6459258	000222889	4/22/2010	7/23/2010	104(a)	5/3/2010	၁	z	<u>56.14100(b)</u>	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459255	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	Ö	z	56,12025	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459252	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	Ö	Ą	56,11027	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459251	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	Ö	z	56.16005	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6459256	000222889	4/22/2010	7/23/2010	104(a)	4/22/2010	O	Y	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449364	000208600	000208600 11/24/2009	2/20/2010	104(a)	11/24/2009	Ö	Z	56.20003(a)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449367	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/7/2009	Ö	z	56.14100(b)	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449366	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/7/2009	υ	z	56,12002	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449362	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/7/2009	O	z	56.12032	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449361	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/7/2009	υ	Z	56.12008	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449363	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/30/2009	O	Z	56.4201(a)(2)	. 100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6449365	000208600	000208600 11/24/2009	2/20/2010	104(a)	12/30/2009	Ö	Z	56.1410 <u>0(b)</u>	100.00	Closed	100.00	. 100.00
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Kaw Valley Sand and Gravel, Inc.	6447698	000185344	3/31/2009	6/18/2009	104(a)	4/1/2009	ပ	¥	56.14101(a)(2)	2,106.00	Closed	2,106.00	2,106.00
Kaw Valley Sand and Gravel, Inc.	6447621	000168682	10/1/2008	12/20/2008	104(d)(1)	10/1/2008	၁	¥	56.14105	9,634.00	Closed	9,634.00	9,634.00
Kaw Valley Sand and Gravel, Inc.	6447619	000168682	10/1/2008	12/20/2008	104(a)	10/2/2008	၁	z	<u>56.14132(a)</u>	263.00	Closed	263.00	263.00
Kaw Valley Sand and Gravel, Inc.	6447618	000168682	10/1/2008	12/20/2008	104(a)	10/1/2008	၁	Z	56.12032	263.00	Closed	263.00	263.00
Kaw Valley Sand and Gravel,	6447620	000168682	10/1/2008	12/20/2008	104(a)	10/16/2008	၁	z	<u>56,14100(b)</u>	100.00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6447617	000168682	10/1/2008	12/20/2008	104(a)	10/1/2008	၁	z	56,12008	263.00	Closed	263.00	263.00
Kaw Valley Sand and Gravel, Inc.	6421574	000153982	4/15/2008	7/24/2008	104(a)	4/15/2008	၁	z	56.12004	100,00	Closed	100.00	100.00
Kaw Valley Sand and Gravel, Inc.	6421575	000153982	4/15/2008	7/24/2008	104(a)	4/15/2008	C	>	<u>56.14112(b)</u>	127.00	Closed	127.00	127.00
Kaw Valley Sand and Gravel, Inc.	6325368	000139973	000139973 11/30/2007	8/8/2008	104(a)	11/30/2007	၁	Z	<u>56.20003(a)</u>	634.00	Closed	127.00	127.00
Kaw Valley Sand and Gravel, Inc.	6325369	000139973 11/30/2007	11/30/2007	8/8/2008	104(a)	12/10/2007	၁	z	<u>56.14107(a)</u>	946,00	Closed	946.00	946.00
Kaw Valley Sand and Gravel, Inc.	6325367	000139973	000139973 11/30/2007	8/8/2008	104(a)	11/30/2007	c	¥	56.12019	634.00	Closed	634.00	634.00
Kaw Valley Sand and Gravel, Inc.	6325370	000147269	000147269 11/30/2007	5/22/2008	104(a)	3/5/2008	υ	Z	56.11002	425.00	Closed	425.00	425.00
Kaw Valley Sand and Gravel, Inc.	6325364	000139973 11/29/2007	11/29/2007	8/8/2008	104(a)	11/30/2007	O	Y	56.11002	2,106.00	Closed	2,106.00	2,106.00
Kaw Valley Sand and Gravel, Inc.	6325363	000139973 11/29/2007	11/29/2007	8/8/2008	104(a)	11/30/2007	၁	Y	56.11001	946,00	Closed	946.00	946.00
Kaw Valley Sand and Gravel, Inc.	6325365	000139973 11/29/2007	11/29/2007	8/8/2008	104(a)	12/10/2007	υ	z	56.14107(a)	946.00	Closed	946.00	946.00
Kaw Valley Sand and Gravel, Inc.	6325366	000139973 11/29/2007	11/29/2007	8/8/2008	104(a)	12/10/2007	Ü	Z	56.11002	. 425.00	Closed	425.00	425.00
Kaw Valley Sand and Gravel, Inc.	7937362	000118250	4/2/2007	5/29/2010	104(a)	4/19/2007	O	N	56,12030	60.00	Closed	60.00	60.00
Vow Vollar Cond and Granal													

Inc.	-	1						J					
Kaw Valley Sand and Gravel, Inc.	7937358	000118250	3/29/2007	5/29/2010	104(a)	4/19/2007	C	Y	56,14107(a)	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, Inc.	7937361	000122620	3/29/2007	9/1/2007	104(a)	5/16/2007	Ö	z	<u>56.9300(a)</u>	60.00	Closed	60.00	00.09
Kaw Valley Sand and Gravel, Inc.	7937355	000118250	3/29/2007	5/29/2010	104(a)	4/19/2007	C	¥	56.14107(a)	107.00	Closed	107.00	107.00
Kaw Valley Sand and Gravel, Inc.	7937360	000118250	3/29/2007	5/29/2010	104(a)	3/29/2007	O	z	56.16005	60.00	Closed	60.00	60.00
Kaw Valley Sand and Gravel, Inc.	7937356	000118250	3/29/2007	5/29/2010	104(a)	4/19/2007	Ö	¥	56.1410Z(a)	107.00	Closed	107.00	107.00
Kaw Valley Sand and Gravel, Inc.	7937359	000118250	3/29/2007	5/29/2010	104(a)	4/2/2007	Ö	Z	56.4130(b)	60.00	Closed	60.00	60.00
Kaw Valley Sand and Gravel, Inc.	7937357	000118250	3/29/2007	5/29/2010	104(a)	4/2/2007	ပ	¥	56.9300(a).	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, Inc.	7937346	000118250	3/28/2007	5/29/2010	104(a)	3/29/2007	υ	z	56.14112(b)	107.00	Closed	107.00	107.00
Kaw Valley Sand and Gravel, Inc.	7937344	000118250	3/28/2007	5/29/2010	104(a)	4/2/2007	O	z	56,14107(a)	107.00	Closed	107.00	107.00
Kaw Valley Sand and Gravel, Inc.	7937350	000118250	3/28/2007	5/29/2010	104(a)	3/29/2007	O	z	56.12021	60.00	Closed	60.00	60.00
Kaw Valley Sand and Gravel, Inc.	7937343	000118250	3/28/2007	5/29/2010	104(a)	3/29/2007	C	¥	56,14107(a)	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, Inc.	7937353	000118250	3/28/2007	5/29/2010	104(a)	4/2/2007	O	7	56.20003(a)	76.00	Closed	76.00	76.00
Kaw Valley Sand and Gravel, Inc.	7937351	000118250	3/28/2007	5/29/2010	104(a)	4/19/2007	С	Y	56.14107(a)	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, inc.	7937348	000118250	3/28/2007	5/29/2010	104(a)	3/28/2007	O	z	56,12018	00'09	Closed	60.00	60.00
Kaw Valley Sand and Gravel, Inc.	7937349	000118250	3/28/2007	5/29/2010	104(a)	3/28/2007	Ü	¥	56.12032	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, Inc.	7937352	000118250	3/28/2007	5/29/2010	104(a)	4/19/2007	၁	¥	56.14107(a)	135.00	Closed	135.00	135.00
Kaw Valley Sand and Gravel, Inc.	7937347	000118250	3/28/2007	5/29/2010	104(a)	4/2/2007	С	z	56.12034	00.09	Closed	60.00	60.00
Kaw Valley Sand and Gravel,	7937354	000118250	000118250 3/28/2007	5/29/2010	104(a)	4/19/2007	0	Y	56.14107(a)	107.00	Closed	107.00	107.00

= ÷ •														
Kaw Valley Sand and Gravel,	793	937345	000118250	3/28/2007	5/29/2010	104(a)	3/29/2007	Ö	z	56.12021	00.09	Closed	00.09	00'09

(4) Return to DRS Home Page

MSHA VIOLATION HISTORY KAW VALLEY SAND AND GRAVEL INC.

The United States Department of Labor created the Mine Safety and Health Administration (MSHA) in 1978. MSHA, according to its mission statement, works to prevent death, illness, and injury from mining and promote safe and healthful workplaces for U.S. miners.

MSHA, in accordance with the Freedom of Information Act (FOIA), allows the public to access records for all U.S. mines regardless of size, number of employees, commodity mined, or method of extraction. The records available offer information such as reports on inspections, accidents, health samples, and violations on any specific mine.

For this exercise, the following mines operated by Kaw Valley Sand and Gravel Inc. were reviewed:

Morris Dredge and Plant 5600 Kansas Ave Kansas City, KS 66106 Mine ID: 1400894

Turner Dry Sand Plant 5600 Kansas Ave Kansas City, KS 66106 Mine ID: 1400895

Kaw Valley Dry Plant #2 9501 Woodend Road Edwardsville, KS 66111 Mine ID: 1401667

Herein this summary, the Kaw Valley plants listed above will be referenced by their respective Mine ID number used by MSHA. The information is available to the public at https://www.msha.gov/mine-data-retrieval-system

MSHA VIOLATIONS

At the date of this examination, February 13, 2020, the following observations were made by running a Violation report on the 3 Kaw Valley mines noted above:

- 1) MSHA has issued 474 Citations and Orders against Kaw Valley mining operations.
- 2) <u>157 of these Violations have been identified as Significant and Substantial</u> (S&S) where the MSHA inspector has indicated that based upon the particular facts surrounding the violation there exists a reasonable likelihood the hazard contributed to will result in an injury or illness of a reasonably serious nature.
- 3) Mine 1401667 has acquired <u>145 violations</u>, with the first MSHA violation issued in March of 2007. That's over 11 violations per year, and nearly one per month. MSHA dates violations for Mine

1400894 back to July of 1984, and Mine 1400895 back to September of 1985. Records show that Kaw Valley demonstrates patterns of violations in these 2 mines as well.

4) Kaw Valley has paid a total of \$99,149 in penalties for noncompliance with MSHA regulations. It should be noted that this number is not the amount penalized, only the amount paid to date.

S&S	Standard	Citation/Or der	Citation/Or der Status		Current Penalty (\$)	Amount Paid To Date (\$)
Y	56.14105	Citation	Closed	9,634	9,634	9,634

- 5) The MSHA Violation Report includes information regarding which MSHA Regulation Standard has been violated in each occurrence. Below is an overview of <u>Kaw Valley's Violations which have been recorded in the report within the last year:</u>
 - a) Mine 1400894:
 - i) Standard 62.130(a) Occupational Noise Exposure beyond the permissible exposure level.

Mine ID	Violator Name	Contractor	Citation/Or der No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	\$&\$	Standard	Citation/Order		Proposed Penalty (\$)		Amount Paid To Date (\$)
1400894	Kaw Valley Sand & Gravel Inc	~	9391942	491224	4/9/2019	06/19/2019	104(a)	8/21/2019	N	62.130(a)	Citation	Treasury	121	121	91

- b) Mine 1400895:
 - i) Standard 56.12028 Testing of (electrical) grounding systems.
 - ii) Standard 56.12032 Inspection and cover plates on electrical equipment and junction boxes.
 - iii) Standard 50.30(a) Violation of preparation and submission of MSHA employment and production report (MSHA Form 7000-2).
- c) Mine 1401667:
 - i) Standard 56.5001(a)/.5005 .5001 Exposure limits for airborne contaminants exceeding the threshold limit values adopted by the American Conference of Government Industrial Hygienists. .5005 Control of exposure to harmful airborne contaminants.

Mine ID	Violator Name	Contractor ID	Citation/Or der No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	S&S	Standard	Citation/Or der	Citation/Or der Status			Amount Paid To Date (\$)
1401667	Kaw Valley Sand and Gravel, Inc.	4	9454941	507651	12/9/2019	02/20/2020	104(a)		N	56.5001(a)/. 5005	Citation	Proposed	405	405	0

- ii) Standard 50.30(a) Violation of preparation and submission of MSHA employment and production report (MSHA Form 7000-2).
- iii) Standard 56.14107(a)* Moving machine parts shall be guarded to protect persons from moving parts that can cause injury. *2 occurrences of this violation reported in the last year.
- iv) Standard 56.4102 Spillage and leakage violation.
- v) Standard 56.12034 Guarding around lights.
- vi) Standard 56.12028 Testing of (electrical) grounding systems.
- vii) Standard 56.14112(b) Guards to be securely in place while machinery is being operated.

viii) Standard 56.14132(b)(2) – Horns and backup alarms violation. (reported as a Significant and Substantial Violation. Refer to note 2)

Mine ID	Violator Name	Contractor ID	Citation/Or der No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	S&S	Standard			Proposed Penalty (\$)		Amount Paid To Date (\$)
1401667	Kaw Valley Sand and Gravel, Inc.	Ψ.	9391920	487252	3/6/2019	05/22/2019	104(a)	3/8/2019	Y	56.14132(b)(2)	Citation	Closed	514	514	514

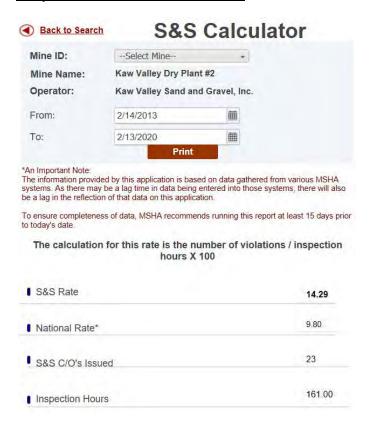
- ix) Standard 56.4200(b)(2) Failure to have firefighting equipment strategically located, readily accessible, plainly marked, and maintained in fire-ready condition.
- x) Standard 56.14100(b) Defects on any equipment, machinery, and tools that affect safety shall be corrected in a timely manner to prevent the creation of a hazard to persons.
- 6) Notwithstanding the Violations for the last year noted above, an analysis of the Kaw Valley MSHA Violation report also indicates, but is not limited to, the following violation findings:
 - a) Since 2011, Kaw Valley has violated MSHA Standard 50.30(a) Preparation and submission of MSHA employment and production report (MSHA Form 7000-2) no less than 10 times. This number is included in the 28 total violations of Subchapter I, Part 50 – Notification, Investigation, Reports and Records of Accidents, Injuries, Illnesses, Employment and Coal Production in Mines.
 - b) Kaw Valley has violated MSHA standards under Subpart M Machinery and Equipment (56.14000) for a total of <u>116 violations</u>.
 - c) Kaw Valley has violated MSHA standards under Subpart K Electricity (56.12000) for a total of 162 violations.
 - d) Kaw Valley has violated MSHA standards under Subpart D Air Quality and Physical Agents (56.5000) a total of <u>19 violations</u>.
 - e) Kaw Valley has violated MSHA standards under Subpart H Loading, Hauling, and Dumping, specific to Standard 56.9300 Berms or guardrails for a total of <u>8 violations</u>.
 - f) Kaw Valley has violated MSHA standards under Subpart C Fire Prevention and Control (56.4000) a total of <u>35 times</u>. Within these violations are found multiple violations under 56.4102 Spillage and leakage.
 - g) Kaw Valley has violated MSHA standards under Subpart O Materials Storage and Handling (56.16000) a total of <u>13 violations</u>.
 - h) Kaw Valley has violated MSHA standards under Subpart J Travelways (56.11000) for a total of 40 violations. Most of these violations appear to fall under 56.11001 Safe Access, 56.11002 Handrails and toeboards, and 56.11012 Protection for openings around travelways. Consequently, the majority of these violations are reported as "S&S" due to the considerable safety risk to the employees.
 - Kaw Valley has violated MSHA standards under Subpart S Miscellaneous (56.20000) a total of 18 violations. 16 of these violations were a direct violation of the 56.20003 Housekeeping Standard, with the others listed as violations of 56.20008 Toilet facilities, and 56.20013 Waste receptacles.
 - j) Kaw Valley has violated MSHA Subchapter M, Part 62 Occupational Noise Exposure 3 times since 2010. 2 of these violations have been in the last 2 years.
 - k) Kaw Valley has violated MSHA Subchapter H, Part 47 Hazard Communication (HazCom) in each of the mines 1400894, 1400895, and 1401667. These are specific to labeling containers of hazardous chemicals and maintaining a HazCom program while hazardous chemicals are known to be at the mine.

MSHA VPID

Within the MSHA mine data retrieval system, the public can make an analysis of a mine operator's patterns of violations through several tools. One of the ways MSHA demonstrates this is through Violations per Inspection Day (VPID). The pattern of violations from a mining company can be matched to the national averages for comparison. For the 15-month period that MSHA uses, the national average of surface metal/non-metal mining operations is 1.08 VPID, while the overall national average of mines is 0.76 VPID. While Kaw Valley Mine 1400894 boasts a .17 VPID in the last 15 months, Mine 1400895 has a VPID of 2.43 and Mine 1401667 has been cited with 2.63 VPID. If the VPID for the 3 Kaw Valley mines were averaged (1.74), it would still be more than double the amount of Violations per Inspection Day compared to the national average of mines.

MSHA S&S Calculator

Another tool used by the MSHA data system is the S&S Calculator. This Calculator takes the number of Significant and Substantial Violations, divided by the number of inspection hours, multiplied by 100. The result can be compared against the national average to indicate patterns of excessive Significant and Substantial Violations. When calculated for the last 7 years, Mine 1401667 shows an S&S rate of 14.29 compared to the national rate of 9.80.



MSHA HEALTH SAMPLES

MSHA records data for health samples from employees at U.S. mines such as noise levels and airborne particulates with concentrations above the allowable thresholds. Following a study of the Health Samples on the Kaw Valley mines on the MSHA website, the following has been observed:

- 1) For Mine 1400894, MSHA reports a total of <u>6 instances of Health Samples since 2006 in which the employee was exposed to concentrations above the Permissible Exposure Limit (PEL)</u>. 3 of these recordings were reported since 2018. All 6 of the findings were related to noise level exposure above the allowable thresholds.
- 2) For Mine 1400895, MSHA reports a total of 10 instances of Health Samples since 2002 in which the employee was exposed to concentrations above the Permissible Exposure Limit (PEL). 3 of these recordings were reported since 2018. 2 of these findings were related to noise level exposure above the allowable thresholds, while the other 8 were logged as exposure to quartz or other unlisted respirable particulates above the allowable thresholds. Quartz is the most common form of crystalline silica.
- 3) For Mine 1401667, MSHA reports a total of <u>8 instances of Health Samples since 2011 in which the employee was exposed to concentrations above the Permissible Exposure Limit (PEL)</u>. 7 of these recordings were reported since 2018. 2 of these findings were related to noise level exposure above the allowable thresholds, while the other 6 were logged as exposure to quartz or other unlisted respirable particulates above the allowable thresholds. Quartz is the most common form of crystalline silica.

Mine ID	Date	Location	Job	Contaminant Code	Concentration (PEDS)	PEL	PPE	Contractor	Action
		purgos	operator						HOHOM
1400894	4/9/2019	W - Dredges & Barges	Dredge/Barge Operator	Noise dosimeter, 90dBA threshold dose	141.9	100	Y	0	CITATION/ORDER ISSUED
1400894	4/9/2019	W - Dredges & Barges	Dredge/Barge Operator	Noise dosimeter, 80dBA threshold dose	161.1	50	Y	0	CITATION/ORDER ISSUED

MSHA ACCIDENTS

The MSHA mine data retrieval system allows the public to review the accidents that have been reported to MSHA. In the information provided to MSHA, it is found that Kaw Valley mines have recorded **29 Accidents** in the system. See below for examples of the narratives from some of these accidents:

- 1) "While replacing buckets on the 22 foot elevator employee slipped on loose sand on the ground catching his hand between the bucket and belt twisting his wrist. Diagnosis strained right wrist/Ulna-Carpal Ligament Strain. Ice pack for 30 minutes 3 to 4 times a day."
- 2) "Operator removed guard to clean the steel tire of a rotary sand drying drum. The operator was holding a rag on the tire while it was running. His two finger tips were smashed between the moving steel rollers. KU Med doctors amputated the distal tips of both his ring finger and middle fingers on his left hand. The bandages will be on for at least another week."
- 3) "WHILE GRINDING, SMALL PIECE OF METAL BOUNCED OFF WALL AND BACK BEHIND THE SAFETY GLASSES HE WAS WEARING. METAL EMBEDDED IN RIGHT IRIS, RUSTED AND HAD TO BE SCRAPED OUT. NO OTHER DAMAGE NOTED. HE RECEIVED MEDICAL ATTENTION."
- 4) "INJURED WAS REPAIRING A CONVEYOR BELT, LOST HIS FOOTING AND SLIPPED WHILE USING A UTILITY KNIFE. THE KNIFE, HELD IN HIS RIGHT HAND SLIPPED AND CUT HIS LEFT ARM.HE IMMEDIATELY WENT TO EMERGENY ROO M WHERE HE RECEIVED 4 SUTURES.HE RETURNED TO WORK.TYLENOL PRESCRIBED."

5) "Dredge cutter chain came out of track. A chain come-a-long was secured to the cutter chain to reposition the links. The come-a-long chain slacked off, engineer reached under the water line to secure chain, the come-a-long chain slapped. 2.1 burst laceration to web between pinky and ring fingers. Prescrip. meds, stitches and drain to left hand. Mod. duty, no left hand work."

MSHA NFDL RATES

MSHA records injury and accident information in its database and another way of projecting the information for comparison is through Non-Fatal, Days Lost (NFDL) Incidence data. NFDL Incidents are defined by MSHA as occupational injuries that result in loss of one or more days from the employee's scheduled work, or days of limited or restricted activity while at work. These numbers for a mine involve production hours and accidents and can be compared to the national average of other mines of the same type. Over the years, Kaw Valley has experienced some extremely high NFDL Incidence Rates. Mine 1401667 at one point had an NFDL Incidence Rate of 10.85 when the national average was 1.64. However, less than 10 years ago, Mine 1400894 held an NFDL Incidence Rate of 89.11 while the national average was 1.36.

Operator NFDL Incidence Rate**	Mine Type National Fatal Incidence Rate**	Mine Type National NFDL Incidence Rate**
25.50	0.0040	1.51
89.11	0.0162	1.36

CONCLUSION

"It's only against the law if you get caught"

I want to first clarify that essentially, MSHA only has a record of what has been presented to them or witnessed during an inspection at a mine. <u>Due to the analysis above, one could assume that Kaw Valley does not take safety as a priority and will continue to perform at a level that is unbearable.</u>

Until this Conclusion, I have intended to provide only facts that are pulled directly from MSHA records. As mentioned at the beginning of this write-up, all the information included within is accessible from the MSHA website. However, not all violations, accidents, and objectionable aspects of the MSHA information for Kaw Valley Companies have been exhausted within. I have only highlighted some of the obvious negative credentials that this company has patterned that I believe are serious enough to be considered for an applicant of a sand mining quarry in my neighborhood.

I do not wish to belabor the topics below, but for the reader that may have skipped to the Conclusion, and for the sake of tying the critical issues together, I offer the following deductions:

1) Electrical violations - It should be noted that sand and gravel mining operations typically use **2400 to 4800 volts so these can be deadly violations**. 162 violations within 3 mines is unacceptable.

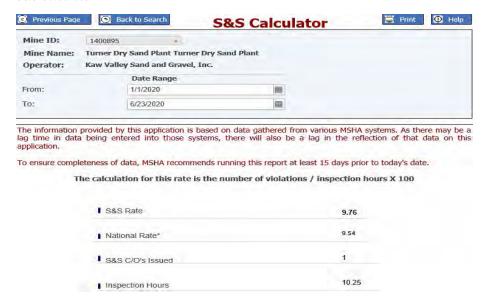
- Spillage and Leakage, Housekeeping (including toilet and trash receptacle issues), and HazCom violations – There are too many municipal wells and private residential wells in the vicinity to tolerate violations such as these. <u>It only takes ONE SPILL OR LEAK to permanently contaminate our drinking water</u>.
- 3) **116 violations for Machinery and Equipment** this excessive amount of violations clearly suggests that Kaw Valley does not spend the time and money to maintain machinery and equipment in safe working order. This is an intolerable element to accept when considering the amount of Kaw Valley trucks that are proposed to be traveling through our county roads.
- 4) **Kaw Valley has unpaid fines for violations**. Is this indicative of a company that you would like to have a financial agreement with?
- 5) Kaw Valley has demonstrated a pattern of overexposing its employees at the mines to noise. This indicates that there will be no effort to control the noise pollution at the proposed sand quarry.
- 6) Kaw Valley has demonstrated a pattern of overexposing its employees at the mines to harmful airborne particles. This indicates that there will be minimal effort to control the air pollution at the proposed sand quarry. This is a very grave and hazardous offense. Sand mining, quarrying, and hauling in general will create a dangerous amount of harmful airborne particles specifically respirable crystalline silica. The records of overexposure to quartz exemplify that crystalline silica dust is not adequately controlled by Kaw Valley Companies.
- 7) The MSHA records explored in this report consistently establish that Kaw Valley has demonstrated a safety culture subpar to the national average. <u>Leavenworth County residents take the safety of our families, friends, and neighbors very seriously</u>. This is not a good fit for our community.

MSHA VIOLATION UPDATE JUNE 24, 2020

<u>In the past two months</u>, MSHA inspected 2 of the Kaw Valley operated mines and issued them with an **additional 7 citations**.

Mine * ID	Violator Name-	Contractor ID	Citation / Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Term.	S & S	Standard	Citation / Order	C / O Status	Proposed Penalty (\$)	Current Penalty (\$)	Amt. Paid (\$)
1400895	Kaw Valley Sand and Gravel, Inc.		9260142		05/13/20		104(a)	05/27/20	Υ	56.11001	С	Not Assessed Yet	0	0	0
1400895	Kaw Valley Sand and Gravel, Inc.		9260143		05/13/20	-	104(a)	05/13/20	N	56.11012	С	Not Assessed Yet	0	0	0
1400895	Kaw Valley Sand and Gravel, Inc.		9260144		05/13/20	_	104(a)	05/13/20	N	56.4201(a) (2)	С	Not Assessed Yet	0	0	0
1400894	Kaw Valley Sand & Gravel Inc		9260160		06/08/20	_	104(a)	06/08/20	N	56.4101		Not Assessed Yet	0	0	0
1400894	Kaw Valley Sand & Gravel Inc	-	9260153		05/27/20		104(a)	05/27/20	N	56.4201(a) (2)		Not Assessed Yet	0	0	0
1400894	Kaw Valley Sand & Gravel Inc		9260154		05/27/20		104(a)	05/27/20	N	47.44(b)		Not Assessed Yet	0	0	0
1400894	Kaw Valley Sand & Gravel Inc		9260155		05/27/20		104(a)	06/08/20		56.4201(a) (1)	_	Not Assessed Yet	0	0	0

In receiving these citations, **Kaw Valley was issued with another S&S (Significant and Substantial) Violation** for not providing and maintaining safe means of access to all working places (56.11001). Per MSHA; "An S&S violation is one that is reasonably likely to result in a serious injury or illness." The MSHA S&S Calculator can be used to indicate **patterns** of Significant and Substantial Violations. This S&S Violation places this Kaw Valley mine **above the national average** for 2020 when entered into the MSHA S&S Calculator.



Kaw Valley Companies / Kaw Valley Sand & Gravel

Delinquent Real Estate Tax History

In Kansas, real estate taxes are paid in arrears with the first half due by December 20 and the second half due by May 10 of the following year. Therefore, the first half of 2019 taxes should have been paid in December 2019 and the second half by May 10, 2020.

The information in this report will show a pattern of delinquent and non-payment of real estate property taxes for Wyandotte County properties owed by Kaw Valley Companies.

Kaw Valley's pattern of delinquent and non-payment for their real estate taxes is documented in this report back to 2015. Therefore, non-payment because of the recent economic impact of the COVID-19 virus is not a valid reason for non-payment.

Points To Consider:

- In most instances, Leavenworth County's interaction with Kaw Valley Companies
 has been on a basis of Leavenworth paying Kaw Valley Companies for work
 performed. In the instance of a sand pit being operated in Leavenworth County
 by Kaw Valley Companies, the reverse will be true in that Kaw Valley will be
 responsible for making tonnage/royalty payments and a yearly payment of
 \$50,000 to Leavenworth County.
- Final real estate tax payments for 2019 were due on May 10, 2020. The information for this report was pulled on June 16, 2020 and shows that Kaw Valleycurrently owes Wyandotte County \$314,489.07, with some payments still being owed from 2017. Of that total, \$27,471.26 are fees incurred because of non-payment.
- The best predictor of future behavior is past behavior. This is a RED FLAG. The Board of County Commissioners should ask themselves why they believe Kaw Valley would make timely payments to Leavenworth County when Kaw Valley doesn't pay Wyandotte County (where they are headquartered) on time (and in multiple instances for two or three years).

Information for this report was found on the following public websites:

- https://www.wycokck.org/Treasury/Real-Estate-and-Personal-Property-Tax.aspx (then click on Property Tax Information found under Additional Information about 2/3 of the way down the page.
- http://www.wyandotteecho.com/downloads/

Kaw Valley Companies Real Estate Property Tax Liability As of 6/16/20

Parcel No.	Tax Year	Tax Amount	Fees Due	Total Still Due As Of 6/16/20
402702	2019	\$57,272.50	\$1,700.13	\$58,972.63
	2018	\$54,777.38	\$3,342.41	\$30,731.10
	2017	\$52,837.20	\$6,859.83	\$37,922.86
		\$164,887.08	\$11,902.37	\$127,626.59
933204	2019	\$3,077.44	\$91.36	\$3,168.80
	2018	\$2,651.00	\$176.98	\$1,502.48
		\$5,728.44	\$268.34	\$4,671.28
933205	2019	\$702.22	\$20.84	\$723.06
	2018	\$732.16	\$60.46	\$426.54
		\$1,434.38	\$81.30	\$1,149.60
933206	2019	\$2,571.62	\$7.75	\$1,293.56
954908	2019	\$258.18	\$0.00	\$0.00
919716	2019	\$67,543.34	\$2,005.02	\$69,548.36
	2018	\$55,973.74	\$3,415.06	\$31,401.93
	2017	\$57,714.22	\$7,919.08	\$44,011.47
		\$181,231.30	\$13,339.16	\$144,961.76
922100	2019	\$8,109.76	\$240.74	\$8,350.50
	2018	\$7,011.90	\$441.81	\$3,947.76
		\$15,121.66	\$682.55	\$12,298.26
922201	2019	\$1.94	\$0.11	\$2.05
930000	2019	\$8,656.42	\$256.97	\$8,913.39
	2018	\$7,316.84	\$460.33	\$4,118.75
		\$15,973.26	\$717.30	\$13,032.14
930006	2019	\$3,967.48	\$117.78	\$4,085.26
	2018	\$4,135.86	\$267.15	\$2,335.08
		\$8,103.34	\$384.93	\$6,420.34
933207	2019	\$2,946.04	\$87.45	\$3,033.49

\$27,471.26 \$314,489.07
Total late fees Grand total owed owed as of 6/16/20
6/16/2020

PARCEL INFORMATION

Parcel: 402702

KUPN: 047360400100201001

Status:

Tax Unit: 130 Volume: 23

TD: 6 Book: 8A Reference: 2582 396 Map:

Map Section: D36

PROPERTY DESCRIPTION

PHOTO NOT AVAILABLE

Property Address: 9501 WOODEND RD EDWARDSVILLE

KS 66111

Subdivision: WOODEND ROAD INDUSTRIAL

PARK

Assessed With Parcel:

Assessed Here Parcel:

Sec-Twp-Range: 36-11-23

Description: TRACT III; ALSO BEG SW COR; N

> 110.09FT ALG W LN, N79W-234.33FT, N74W-169.5FT, N71W-311.88FT, S

> > Rear:

20.49FT, N65W-1463.38FT

Book Page: 2017R-10629

Frontage: Left: Right:

Deeded Mapped Mapped 55.708

2426632.383 Acres: Acres: SOFT:

NAME & ADDRESS

Owner Name: KAW VALLEY COMPANIES, INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$1,247,660	\$311,915
2019	\$1,253,970	\$313,493
2018	\$1,212,150	\$303,038
2017	\$1,170,570	\$289,464
2016	\$984,990	\$246,248
2015	\$964,280	\$241,071
2014	\$964,280	\$241,071

2013	\$964,280	\$241,071
2012	\$964,280	\$241,071
2011	\$935,540	\$233,885

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL DUE
2019	182.691453	\$57,272.50	\$0.00	\$1,700.13	\$58,972.63
2018	180.760730	\$54,777.38	\$0.00	\$3,342.41	\$30,731.10
2017	182.534615	\$52,837.20	\$0.00	\$6,859.83	\$37,922.86
2016	183.733569	\$45,244.02	\$0.00	\$0.00	\$0.00
2015	183.850000	\$44,320.90	\$0.00	\$0.00	\$0.00
2014	182.054000	\$43,887.94	\$0.00	\$0.00	\$0.00
2013	182.116160	\$43,902.92	\$0.00	\$0.00	\$0.00
2012	174.089300	\$41,967.88	\$0.00	\$0.00	\$0.00
2011	175.688000	\$41,090.80	\$0.00	\$0.00	\$0.00
			TOTAL:	\$11,902.37	\$127,626.59

LOCATION
Census Tract:

44702

Census Block: 3

3015 204

School District:

City/Ward/Precinct: 3-2-1

POLITICAL DISTRICTS

UG District:

7

2

At Large District:

Drainage

District:

BPU:

Congressional: 3

Representative: 33 Senatorial: 6

Polling Place

696 S 3RD ST -

Address:

EDWARDSVILLE, KS

66111

APPRAISER INFORMATION

Class:

C

Use:

Sand pit

Style:

ExtWall:

Roofing:

Basement:

Foundation:

HVAC:

Rooms:

Bedrooms:

Full Baths:

Half Baths:

Total Fixtures:

Property Information



Living Area:

Built:

Phys. Condition:

Land Size:

2117016



PHOTO NOT AVAILABLE

PARCEL INFORMATION

Parcel: 933204

KUPN: 059290300100700001

Status:

Tax Unit: 40 Volume: 35

TD: 1BB4 Book: 7A Reference: 2819

Map: 332 Map Section: E29

PROPERTY DESCRIPTION

Property Address: 2103 S 84TH ST KANSAS CITY KS 66111

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 29-11-24

Description: 509C BEG 1152.3FT S & 220FT W OF

NE COR SW1/4; W 1106.2FT, S 1440FT,

N37E-1815.8FT TO POB CONTG

18.2843AC M/L

Book Page: 4571-0734

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped Acres: Mapped SOFT: 791116.712

NAME & ADDRESS

Owner Name: KAW VALLEY COMPANY INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$72,660	\$18,165
2019	\$70,260	\$17,565
2018	\$61,380	\$15,345
2017	\$63,440	\$15,860
2016	\$81,870	\$20,468
2015	\$81,870	\$20,468
2014	\$81,870	\$20,468
2013	\$147,360	\$36,840

2012	\$133,820	\$33,455
2011	\$133,820	\$33,455
2010	\$140,520	\$35,130
2009	\$149,200	\$37,300
2008	\$149,180	\$37,295
2007	\$150,190	\$18,023
2006	\$150,190	\$18,023
2005	\$148,400	\$17,808
2004	\$148,400	\$17,808
2003	\$5,000	\$1,500

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL
2019	175.202496	\$3,077.44	\$0.00	\$91.36	\$3,168.80
2018	172.760032	\$2,651.00	\$0.00	\$176.98	\$1,502,48
2017	176.383101	\$2,797.44	\$0.00	\$0.00	\$0.00
2016	178.241569	\$3,648.26	\$0.00	\$0.00	\$0.00
2015	180.358000	\$3,691.58	\$0.00	\$0.00	\$0.00
2014	178.160000	\$3,646.58	\$0.00	\$0.00	\$0.00
2013	180.244187	\$6,640.20	\$0.00	\$0.00	\$0.00
2012	175.037450	\$5,855.88	\$0.00	\$0.00	\$0.00
2011	176.450000	\$5,903.14	\$0.00	\$0.00	\$0.00
2010	170.677000	\$5,995.88	\$0.00	\$0.00	\$0.00
2009	162.821000	\$6,073.22	\$0.00	\$0.00	\$0.00
2008	160.913000	\$6,001.25	\$0.00	\$0.00	\$0.00
2007	160.299000	\$2,888.91	\$0.00	\$0.00	\$0.00
2006	157.491000	\$2,838.30	\$0.00	\$0.00	\$0.00
2005	153.395000	\$2,731.66	\$0.00	\$0.00	\$0.00
2004	159.691000	\$2,843.78	\$0.00	\$0.00	\$0.00
2003	155.448000	\$233.17	\$0.00	\$0.00	\$0.00
			TOTAL:	\$268.34	\$4,671.28

LOCATION

POLITICAL DISTRICTS

Census Tract: 44004 UG District: 6
Census Block: 1040 At Large District: 2
School District: 204 Drainage District:

City/Ward/Precinct: 1-9-14 BPU:

Congressional: 3
Representative: 33
Senatorial: 6

Polling Place 149 S 78TH ST -Address: KANSAS CITY, KS

66111-2909

APPRAISER INFORMATION

Class: C

Use: Mining / extraction operations

Style: ExtWall: Roofing: Basement: Foundation:

HVAC: Rooms:

Bedrooms: Full Baths:

Half Baths: Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 791050

PARCEL INFORMATION

Parcel: 933205

KUPN: 059290300100600001

Status:

Tax Unit: 40 Volume: 35

TD: 1BB4 Book: 7A

Reference: 2819-0001

Map: 332 Map Section: E29

PROPERTY DESCRIPTION

PHOTO NOT AVAILABLE

Property Address: 2301 S 84TH ST KANSAS CITY KS 66111

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 29-11-24

Description: 509C1 STRIP 50FT WIDE ACROSS WM

V BUSH PROP LYING 25FT EITHER SE OF DES CEN LI BEG SW COR E1/2

SW/4 NELY 1829.82FT TO P

Book Page: 4572-0275

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped 2.299 Mapped 100158.357 Acres: SOFT:

NAME & ADDRESS

Owner Name: KAW VALLEY COMPANY INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$17,730	\$4,433
2019	\$16,030	\$4,008
2018	\$16,950	\$4,238
2017	\$15,960	\$3,990
2016	\$14,050	\$3,513
2015	\$14,050	\$3,513
2014	\$14,050	\$3,513
2013	\$14,050	\$3,513

2012	\$14,480	\$3,620
2011	\$18,160	\$4,540
2010	\$29,620	\$3,554
2009	\$30,000	\$3,600
2008	\$30,000	\$3,600
2007	\$30,100	\$3,612
2006	\$30,100	\$3,612
2005	\$30,100	\$3,612
2004	\$30,100	\$3,612
2003	\$60,200	\$2,692
2002	\$34,500	\$0
2001	\$14,000	\$0
2000	\$14,000	\$0
1999	\$14,000	\$0
1998	\$14,000	\$0
1997	\$14,000	\$0
1996	\$14,000	\$0
1995	\$14,700	\$0
1994	\$14,650	\$0
1993	\$14,650	\$0
1992	\$9,790	\$0
1991	\$9,790	\$0
1990	\$4,900	\$0
1989	\$4,900	\$0

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES	TOTAL
2019	175.202496	\$702.22	\$0.00	\$20.84	\$723.06
2018	172.760032	\$732.16	\$0.00	\$60.46	\$426.54
2017	176,383101	\$703.78	\$0.00	\$0.00	\$0.00
2016	178.241569	\$626.16	\$0.00	\$0.00	\$0.00
2015	180.358000	\$633.60	\$0.00	\$0.00	\$0.00
2014	178.160000	\$625.88	\$0.00	\$0.00	\$0.00
2013	180.244187	\$633.20	\$0.00	\$0.00	\$0.00
2012	175.037450	\$633.64	\$0.00	\$0.00	\$0.00
2011	176.450000	\$801.08	\$0.00	\$0.00	\$0.00
2010	170.677000	\$606.60	\$0.00	\$0.00	\$0.00
2009	162.821000	\$586.16	\$0.00	\$0.00	\$0.00
2008	160.913000	\$579.29	\$0.00	\$0.00	\$0.00
2007	160.299000	\$579.00	\$0.00	\$0.00	\$0.00

11	2006	157.491000	\$568.86	\$0.00	\$0.00	\$0.00
П	2005	153.395000	\$554.06	\$0.00	\$0.00	\$0.00
T	2004	159.691000	\$576.80	\$0.00	\$0.00	\$0.00
	2003	155.448000	\$418.31	\$0.00	\$0.00	\$0.00
				TOTAL:	\$81.30	\$1,149.60

LOCATION

POLITICAL DISTRICTS

Census Tract:

44004

UG District: 6

Census Block:

1040

At Large District: 2

School District:

204

Drainage District:

City/Ward/Precinct:

1-9-14 BPU:

Congressional: 3

Representative:

Senatorial: 6

Polling Place

Address:

149 S 78TH ST -

KANSAS CITY, KS

33

66111-2909

APPRAISER INFORMATION

Class:

C

Use:

Mining / extraction operations

Style:

ExtWall:

Roofing:

Basement:

Foundation:

HVAC:

Rooms:

Bedrooms:

Full Baths:

Half Baths:

Total Fixtures:

Living Area:

Built:

Phys. Condition:

Land Size:

98881



PARCEL INFORMATION

Parcel: 933206

KUPN: 059290300100500001

Status:

Tax Unit: 40 Volume: 35

TD: 1BB4

Book: 7A

Reference: 2819-0002

Map: 332 Map Section: E29

PROPERTY DESCRIPTION

Property Address: 2100 S 82ND ST KANSAS CITY KS 66111

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 29-11-24

Description: 509C2 BEG 1152.3FT S & 25FT W OF

NE COR SW 1/4; S 274.3FT, S37W-2162.7FT, N 561FT, E 25FT, N37E-

1819.5FT, E 165FT TO

Book Page: 4571-0734

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped Acres: 14.076 Mapped SQFT: 613144.810

NAME & ADDRESS

Owner Name: KAW VALLEY COMPANY INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

APPRAISED TOTAL	ASSESSED TOTAL
\$61,110	\$15,278
\$58,710	\$14,678
\$49,820	\$12,455
\$50,920	\$12,730
\$64,020	\$16,005
\$64,020	\$16,005
\$64,020	\$16,005
\$115,230	\$28,808
	\$61,110 \$58,710 \$49,820 \$50,920 \$64,020 \$64,020 \$64,020

2012	\$106,820	\$26,705
2011	\$106,820	\$26,705
2010	\$1,980	\$594
2009	\$1,950	\$585
2008	\$2,100	\$630
2007	\$2,200	\$660
2006	\$2,500	\$750
2005	\$2,800	\$840
2004	\$3,100	\$930
2003	\$3,100	\$930

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	PEES	TOTAL
2019	175.202496	\$2,571.62	\$0.00	\$7.75	\$1,293.56
2018	172.760032	\$2,151.74	\$0.00	\$0.00	\$0.00
2017	176.383101	\$2,245.36	\$0.00	\$0.00	\$0.00
2016	178.241569	\$2,852.76	\$0.00	\$0.00	\$0.00
2015	180.358000	\$2,886.64	\$0.00	\$0.00	\$0.00
2014	178.160000	\$2,851.46	\$0.00	\$0.00	\$0.00
2013	180.244187	\$5,192.48	\$0.00	\$0.00	\$0.00
2012	175.037450	\$4,674.38	\$0.00	\$0.00	\$0.00
2011	176.450000	\$4,712.10	\$0.00	\$0.00	\$0.00
2010	170.677000	\$101.38	\$0.00	\$0.00	\$0.00
2009	162.821000	\$95.26	\$0.00	\$0.00	\$0.00
2008	160.913000	\$101.38	\$0.00	\$0.00	\$0.00
2007	160.299000	\$105.80	\$0.00	\$0.00	\$0.00
2006	157.491000	\$118.12	\$0.00	\$0.00	\$0.00
2005	153.395000	\$128.85	\$0.00	\$0.00	\$0.00
2004	159.691000	\$148.51	\$0.00	\$0.00	\$0.00
2003	155.448000	\$144.57	\$0.00	\$0.00	\$0.00
			TOTAL:	\$7.75	\$1,293.56

LOCATION

POLITICAL DISTRICTS

Census Tract: 44004 UG District: 6
Census Block: 1040 At Large District: 2
School District: 204 Drainage District:

City/Ward/Precinct: 1-9-14 BPU:

Congressional: 3
Representative: 33
Senatorial: 6

Polling Place 149 S 78TH ST -Address: KANSAS CITY, KS

66111-2909

APPRAISER INFORMATION

Class: C

Use: Mining / extraction operations

Style:
ExtWall:
Roofing:
Basement:
Foundation:
HVAC:
Rooms:

Full Baths: Half Baths:

Bedrooms:

Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 607226



PARCEL INFORMATION

Parcel: 954908

KUPN: 039290100201200001

Status:

Tax Unit: 60

Volume: 43

TD: 63

Book: 8B Reference: 0469

Map: 549

Map Section: A29

PROPERTY DESCRIPTION

Property Address:

3520 N 123RD ST KANSAS CITY KS 66109

Subdivision:

Assessed With Parcel:

Assessed Here Parcel:

Sec-Twp-Range:

29-10-23

Description:

S 550FT OF E3/4 NE1/4 LS E 40FT

CONTG 24.3AC M/L

Book Page:

2016R-15074

Frontage: 550.00

5000

Left:

1924.16 Right:

1924.99

Rear: 550.00

Deeded

Mapped

Mapped Mapped

pped 1062188.521

Acres:

Acres:

24.384

SQFT:

NAME & ADDRESS

Owner Name:

KAW VALLEY COMPANY INC

Mailing Address:

5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$5,820	\$1,591
2019	\$5,570	\$1,519
2018	\$5,170	\$1,406
2017	\$189,770	\$22,177
2016	\$184,450	\$21,800
2015	\$180,810	\$21,363
2014	\$181,810	\$21,648
2013	\$175,320	\$20,632
2012	\$175,270	\$20,620
2011	\$130,240	\$15,482

2010	\$130,320	\$15,500
2009	\$137,180	\$16,271
2008	\$137,100	\$16,214
2007	\$108,000	\$12,891
2006	\$107,800	\$12,836
2005	\$106,500	\$12,687
2004	\$103,800	\$12,381
2003	\$102,300	\$11,936

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL
2019	169.965992	\$258.18	\$0.00	\$0.00	\$0.00
2018	174.323019	\$245.10	\$0.00	\$0.00	\$0.00
2017	172.230252	\$3,773.56	\$0.00	\$0.00	\$0.00
2016	174.013000	\$3,747.50	\$0.00	\$0.00	\$0.00
2015	177.284000	\$3,741.34	\$0.00	\$0.00	\$0.00
2014	174.688000	\$3,735.66	\$0.00	\$0.00	\$0.00
2013	174.820517	\$3,560.92	\$0.00	\$0.00	\$0.00
2012	172.302940	\$3,506.90	\$0.00	\$0.00	\$0.00
2011	169.730000	\$2,581.78	\$0.00	\$0.00	\$0.00
2010	166.111000	\$2,528.74	\$0.00	\$0.00	\$0.00
2009	158.734000	\$2,536.76	\$0.00	\$0.00	\$0.00
2008	146.918000	\$2,336.13	\$0.00	\$0.00	\$0.00
2007	145.254000	\$1,826.47	\$0.00	\$0.00	\$0.00
2006	142.620000	\$1,784.67	\$0.00	\$0.00	\$0.00
2005	151.932000	\$1,881.56	\$0.00	\$0.00	\$0.00
2004	150.791000	\$1,820.94	\$0.00	\$0.00	\$0.00
2003	144.719000	\$1,681.37	\$0.00	\$0.00	\$0.00
			TOTAL:	\$0.00	\$0.00

LOCATION

POLITICAL DISTRICTS

Census Tract:44803UG District:5Census Block:2002At Large District:1School District:203Drainage District:

City/Ward/Precinct: 1-14-14 BPU:

Congressional: 3
Representative: 36
Senatorial: 5

Polling Place 3130 N 122ND ST -Address: KANSAS CITY, KS

66109-4835

APPRAISER INFORMATION

Class: F

Use: Farming / ranch operation (with improvements)

Style: Modular Home

ExtWall: Frame, Metal or Vinyl Siding

Roofing: Composition Shingle

Basement: Crawl Foundation: Concrete

HVAC: Warmed & Cooled Air

Rooms: 5
Bedrooms: 3
Full Baths: 2

Half Baths:

Total Fixtures: 10
Living Area: 1716
Built: 1997
Phys. Condition: AV
Land Size: 1066349



Parcel: 919716

KUPN: 056140400200302001

Status:

PHOTO NOT AVAILABLE

Tax Unit: 50 Volume: 39 TD: 1EE Book: 6

Reference: 380400010001

Map: 197 Map Section: E14

PROPERTY DESCRIPTION

Property Address: 5600 KANSAS AVE KANSAS CITY KS

66106

5610 KANSAS AVE KANSAS CITY KS

66106

5622 KANSAS AVE KANSAS CITY KS

66106

Subdivision:

Assessed With Parcel: **Assessed Here Parcel:**

Sec-Twp-Range: 14-11-24

Description: BEG 634.44FT W & 40FT N OF SE COR;

> W 431.17FT, N24W-333.21FT, N 290.93FT, E 367.44FT, N 259.71FT, E

240FT, N 399.22FT,

Book Page: 3998-0339

Rear: 117.85 Frontage: 431.17 Left: 1890.51 Right: 1384.79

Deeded Mapped Mapped 10.541 459174.895

SOFT: Acres: Acres:

NAME & ADDRESS

Owner Name: KAW VALLEY REAL ESTATE LLC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$1,569,830	\$392,458
2019	\$1,414,800	\$353,701
2018	\$1,193,250	\$298,313
2017	\$1,168,490	\$292,123

2016	\$1,184,570	\$296,143
2015	\$888,470	\$222,118
2014	\$913,360	\$228,341
2013	\$847,030	\$211,758
2012	\$854,710	\$213,678
2011	\$870,000	\$217,501
2010	\$870,000	\$217,499
2009	\$1,366,110	\$341,528
2008	\$1,393,990	\$348,497
2007	\$1,308,630	\$327,158
2006	\$1,254,490	\$313,623
2005	\$455,290	\$113,822
2004	\$1,015,320	\$253,830
2003	\$964,400	\$241,100

	TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES	TOTAL
П	2019	190.961687	\$67,543.34	\$0.00	\$2,005.02	\$69,548.36
	2018	187.634256	\$55,973.74	\$0.00	\$3,415.06	\$31,401.93
	2017	197.568189	\$57,714.22	\$0.00	\$7,919.08	\$44,011.47
1	2016	194.306384	\$57,542.48	\$0.00	\$0.00	\$0.00
I	2015	202.798000	\$45,045.10	\$0.00	\$0.00	\$0.00
	2014	191.688000	\$43,770.24	\$0.00	\$0.00	\$0.00
П	2013	206.784703	\$43,788.32	\$0.00	\$0.00	\$0.00
T	2012	200.580560	\$42,859.66	\$0.00	\$0.00	\$0.00
	2011	200.415000	\$43,590.46	\$0.00	\$0.00	\$0.00
I	2010	191.290000	\$41,605.38	\$0.00	\$0.00	\$0.00
I	2009	177.821000	\$60,730.86	\$0.00	\$0.00	\$0.00
I	2008	174.764000	\$60,904.73	\$0.00	\$0.00	\$0.00
	2007	173.274000	\$56,687.80	\$0.00	\$0.00	\$0.00
П	2006	172.214000	\$54,010.10	\$0.00	\$0.00	\$0.00
IT	2005	175.238000	\$19,945.94	\$0.00	\$0.00	\$0.00
	2004	180.375000	\$45,784.59	\$0.00	\$0.00	\$0.00
	2003	181.835000	\$43,840.42	\$0.00	\$0.00	\$0.00
T				TOTAL:	\$13,339.16	\$144,961.76

LOCATION

POLITICAL DISTRICTS

Census Tract: 43804 UG District: 6
Census Block: 1046 At Large 2
School District: 202 District:
City/Ward/Precinct: 1-7-4 District:
BPU:

Congressional: 3 Representative: 37 Senatorial: 6

Polling Place 5301 METROPOLITAN Address: AVE - KANSAS CITY,

KS 66106-0000

APPRAISER INFORMATION

Class: C

Use: Warehouse-retail combination

Style:
ExtWall:
Roofing:
Basement:
Foundation:
HVAC:
Rooms:
Bedrooms:
Full Baths:
Half Baths:

Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 478289

PHOTO NOT AVAILABLE

PARCEL INFORMATION

Parcel: 922100

KUPN: 056230200200100001

Status:

Tax Unit: 50

Volume: 39

TD: 1EE Book: 6

Reference: 3844

Map: 221

Map Section: E23

PROPERTY DESCRIPTION

Property Address: 5900 THORN DR KANSAS CITY KS 66106

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 23-11-24

Description: 38 COM 2022.4FT W OF NE COR S 37

DEG 30MI W 543FT W 257FT S 37DEG 30MI W 836FT S38DEG 30MI E 14FT

TO RR SWLY ON RR TO S

Book Page: 1813-0165

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped 16.272 Mapped 708821.055

NAME & ADDRESS

Owner Name: KAW VALLEY SAND & GRAVEL INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$175,700	\$43,925
2019	\$169,870	\$42,468
2018	\$149,480	\$37,370
2017	\$152,950	\$38,238
2016	\$191,520	\$47,880
2015	\$61,780	\$15,445
2014	\$61,780	\$15,445
2013	\$61,780	\$15,445
2013	\$61,780	\$15

2012	\$61,820	\$15,455
2011	\$56,200	\$14,050
2010	\$60,990	\$15,248
2009	\$90,060	\$22,515
2008	\$91,900	\$22,975
2007	\$77,630	\$19,407
2006	\$73,390	\$18,347
2005	\$71,800	\$17,950
2004	\$71,420	\$17,856
2003	\$70,220	\$17,556

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL
2019	190.961687	\$8,109.76	\$0.00	\$240.74	\$8,350.50
2018	187.634256	\$7,011.90	\$0.00	\$441.81	\$3,947.76
2017	197.568189	\$7,554.62	\$0.00	\$0.00	\$0.00
2016	194.306384	\$9,303.40	\$0.00	\$0.00	\$0.00
2015	202.798000	\$3,132.22	\$0.00	\$0.00	\$0.00
2014	191.688000	\$2,960.62	\$0.00	\$0.00	\$0.00
2013	206.784703	\$3,193.80	\$0.00	\$0.00	\$0.00
2012	200.580560	\$3,099.98	\$0.00	\$0.00	\$0.00
2011	200.415000	\$2,815.84	\$0.00	\$0.00	\$0.00
2010	191.290000	\$2,916.80	\$0.00	\$0.00	\$0.00
2009	177.821000	\$4,003.64	\$0.00	\$0.00	\$0.00
2008	174.764000	\$4,015.20	\$0.00	\$0.00	\$0.00
2007	173.274000	\$3,362.73	\$0.00	\$0.00	\$0.00
2006	172.214000	\$3,159.61	\$0.00	\$0.00	\$0.00
2005	175.238000	\$3,145.52	\$0.00	\$0.00	\$0.00
2004	180.375000	\$3,220.42	\$0.00	\$0.00	\$0.00
2003	181.835000	\$3,191.93	\$0.00	\$0.00	\$0.00
			TOTAL:	\$682.55	\$12,298.26

LOCATION

POLITICAL DISTRICTS

Census Tract: 43802 UG District: 6
Census Block: 1001 At Large District: 2
School District: 202 Drainage District:
City/Ward/Precinct: 1-12-10 BPU:

City/Ward/Precinct: 1-12-10

BPU:

Congressional: 3

Representative: 37

Senatorial: 6

Polling Place 7120 GIBBS RD -Address: KANSAS CITY, KS

66106-5146

APPRAISER INFORMATION

Class:

C

Use:

Sand pit

Style:

ExtWall:

Roofing:

Basement:

Foundation:

HVAC:

Rooms:

Bedrooms:

Deal coms

Full Baths:

Half Baths:

Total Fixtures:

Living Area:

Built:

Phys. Condition:

Land Size:

720918



PARCEL INFORMATION

Parcel: 922201

KUPN: 056230300200100001

222

Status:

Tax Unit: 30

Volume: 39 TD: 1E

Book: 6

Reference: 3864

Map:

Map Section: E23

PROPERTY DESCRIPTION

Property Address: 6250 THORN DR KANSAS CITY KS 66106

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 23-11-24

Description: 43C W OF RR SW 1-4TH 1A

Book Page: 3345-0178

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped Mapped 0.400 17429.090

Acres: Acres: SQFT:

NAME & ADDRESS

Owner Name: KAW VALLEY SAND & GRAVEL INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$90	\$11
2019	\$90	\$11
2018	\$100	\$12
2017	\$90	\$11
2016	\$2,570	\$308
2015	\$2,570	\$308
2014	\$2,570	\$308
2013	\$2,570	\$308
2012	\$2,650	\$318
2011	\$2,650	\$318

2010	\$2,650	\$318
2009	\$2,700	\$324
2008	\$2,700	\$324
2007	\$2,700	\$324
2006	\$5,300	\$636
2005	\$2,700	\$324
2004	\$2,700	\$324
2003	\$2,700	\$324

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL DUE
2019	176.661561	\$1.94	\$0.00	\$0.11	\$2.05
2018	172.831745	\$2.08	\$0.00	\$0.00	\$0.00
2017	181.362600	\$2.00	\$0.00	\$0.00	\$0.00
2016	178.642000	\$55.02	\$0.00	\$0.00	\$0.00
2015	186.420000	\$57.42	\$0.00	\$0.00	\$0.00
2014	176.862000	\$54.48	\$0.00	\$0.00	\$0.00
2013	193.422362	\$59.58	\$0.00	\$0.00	\$0.00
2012	187.361610	\$59.58	\$0.00	\$0.00	\$0.00
2011	187.205000	\$59.54	\$0.00	\$0.00	\$0.00
2010	177.862000	\$56.56	\$0.00	\$0.00	\$0.00
2009	166.350000	\$53.90	\$0.00	\$0.00	\$0.00
2008	163.479000	\$52.97	\$0.00	\$0.00	\$0.00
2007	162.005000	\$52.49	\$0.00	\$0.00	\$0.00
2006	162.148000	\$103.13	\$0.00	\$0.00	\$0.00
2005	164.604000	\$53.33	\$0.00	\$0.00	\$0.00
2004	167.762000	\$54.35	\$0.00	\$0.00	\$0.00
2003	168.558000	\$54.61	\$0.00	\$0.00	\$0.00
			TOTAL:	\$0.11	\$2.05

LOCATION

POLITICAL DISTRICTS

Census Tract: 43802 UG District: 6
Census Block: 1002 At Large District: 2
School District: 202 Drainage District:

City/Ward/Precinct: 1-12-10 BPU:

Congressional: 3
Representative: 37
Senatorial: 6

Polling Place 7120 GIBBS RD - KANSAS CITY, KS

66106-5146

APPRAISER INFORMATION

Class: V

Use: Residential highest and best use

Style:
ExtWall:
Roofing:
Basement:
Foundation:
HVAC:
Rooms:

Bedrooms: Full Baths: Half Baths:

Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 17424



PARCEL INFORMATION

Parcel: 930000

KUPN: 059320100100100001

Status:

Tax Unit: 30 Volume: 39 TD: 1E

TD: 1E Book: 6

Reference: 4749 Map: 300

Map Section: E32

PROPERTY DESCRIPTION

Property Address: 2400 S 78TH ST KANSAS CITY KS 66106

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 32-11-24

Description: 427D BEG 235FT S OF NE COR; S

395FT, W 1465.86FT, N40E- 950FT M/L, S82E-180FT M/L, S65E-728.8FT TO

POB CONTG 18.22AC M

Book Page: 3759-0759

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped 16.187 Mapped 705098.635 Acres: Acres:

NAME & ADDRESS

Owner Name: KAW VALLEY SAND & GRAVEL INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$203,200	\$50,800
2019	\$196,000	\$49,000
2018	\$169,340	\$42,335
2017	\$174,280	\$43,570
2016	\$227,840	\$56,960
2015	\$227,840	\$56,960
2014	\$227,840	\$56,960
2013	\$227,840	\$56,960

2012	\$116,050	\$29,013
2011	\$116,050	\$29,013
2010	\$116,050	\$29,013
2009	\$126,500	\$31,625
2008	\$126,530	\$31,632
2007	\$126,660	\$31,665
2006	\$126,660	\$31,665
2005	\$126,660	\$31,665
2004	\$106,440	\$26,610
2003	\$106,440	\$12,773
1989	\$249,500	\$0

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL DUE
2019	176.661561	\$8,656.42	\$0.00	\$256.97	\$8,913.39
2018	172.831745	\$7,316.84	\$0.00	\$460.33	\$4,118.75
2017	181.362600	\$7,901.98	\$0.00	\$0.00	\$0.00
2016	178.642000	\$10,175.46	\$0.00	\$0.00	\$0.00
2015	186.420000	\$10,618.48	\$0.00	\$0.00	\$0.00
2014	176.862000	\$10,074.06	\$0.00	\$0.00	\$0.00
2013	193.422362	\$11,017.34	\$0.00	\$0.00	\$0.00
2012	187.361610	\$5,435.92	\$0.00	\$0.00	\$0.00
2011	187.205000	\$5,431.38	\$0.00	\$0.00	\$0.00
2010	177.862000	\$5,160.32	\$0.00	\$0.00	\$0.00
2009	166.350000	\$5,260.82	\$0.00	\$0.00	\$0.00
2008	163.479000	\$5,171.17	\$0.00	\$0.00	\$0.00
2007	162.005000	\$5,129.89	\$0.00	\$0.00	\$0.00
2006	162.148000	\$5,134.42	\$0.00	\$0.00	\$0.00
2005	164.604000	\$5,212.19	\$0.00	\$0.00	\$0.00
2004	167.762000	\$4,464.15	\$0.00	\$0.00	\$0.00
2003	168.558000	\$2,152.82	\$0.00	\$0.00	\$0.00
			TOTAL:	\$717.30	\$13,032.14

LOCATION

Census Tract: 43802

Census Block: 2021

School District: 202

City/Ward/Precinct: 1-12-11

POLITICAL DISTRICTS

UG District: 6

At Large District: 2

Drainage District:

BPU:

Congressional: 3 Representative: 33 Senatorial: 6

Polling Place 2010 N 66TH TER -Address: KANSAS CITY, KS

66104-2667

APPRAISER INFORMATION

Class: C

Use: Sand pit

Style: ExtWall: Roofing: Basement:

Foundation: HVAC: Rooms: Bedrooms:

Full Baths: Half Baths: Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 708721

4

PHOTO NOT AVAILABLE

PARCEL INFORMATION

Parcel: 930006

KUPN: 059320100100300001

Status:

 Tax Unit:
 30

 Volume:
 39

 TD:
 1E

 Book:
 6

Reference: 4749-0001

Map: 300 Map Section: E32

PROPERTY DESCRIPTION

Property Address: 7911 GIBBS RD KANSAS CITY KS 66106

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 32-11-24

Description: 427D1 BEG 660FT S & 1732.98FT W OF

NE COR; N41E-190.69FT, N40E-

193.39FT, N26E- 586.83FT, S82E-275FT

M/L, S40W-1015FT M/

Book Page: 3759-0759

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped 2.984 Mapped 129962.476
Acres: Acres: SOFT:

NAME & ADDRESS

Owner Name: KAW VALLEY SAND & GRAVEL INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$98,040	\$24,510
2019	\$89,830	\$22,458
2018	\$95,720	\$23,930
2017	\$90,090	\$22,523
2016	\$78,830	\$19,708
2015	\$78,830	\$19,708
2014	\$78,830	\$19,708
2013	\$98,540	\$11,825

2012	\$22,330	\$2,680
2011	\$22,330	\$2,680
2010	\$22,330	\$2,680
2009	\$22,300	\$2,676
2008	\$22,330	\$2,680
2007	\$22,160	\$2,659
2006	\$22,160	\$2,659
2005	\$22,160	\$2,659
2004	\$18,620	\$2,234
2003	\$18,620	\$2,234
1989	\$47,300	\$0

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL
2019	176.661561	\$3,967.48	\$0.00	\$117.78	\$4,085.26
2018	172.831745	\$4,135.86	\$0.00	\$267.15	\$2,335.08
2017	181.362600	\$4,084.84	\$0.00	\$0.00	\$0.00
2016	178.642000	\$3,520.68	\$0.00	\$0.00	\$0.00
2015	186.420000	\$3,673.98	\$0.00	\$0.00	\$0.00
2014	176.862000	\$3,485.60	\$0.00	\$0.00	\$0.00
2013	193.422362	\$2,287.22	\$0.00	\$0.00	\$0.00
2012	187.361610	\$502.14	\$0.00	\$0.00	\$0.00
2011	187.205000	\$501.72	\$0.00	\$0.00	\$0.00
2010	177.862000	\$476.68	\$0.00	\$0.00	\$0.00
2009	166.350000	\$445.16	\$0.00	\$0.00	\$0.00
2008	163.479000	\$437.96	\$0.00	\$0.00	\$0.00
2007	162.005000	\$430.77	\$0.00	\$0.00	\$0.00
2006	162.148000	\$431.15	\$0.00	\$0.00	\$0.00
2005	164.604000	\$437.68	\$0.00	\$0.00	\$0.00
2004	167.762000	\$374.78	\$0.00	\$0.00	\$0.00
2003	168.558000	\$376.56	\$0.00	\$0.00	\$0.00
			TOTAL:	\$384.93	\$6,420.34

LOCATION

Census Tract: 43802

Census Block: 2021

School District: 202

City/Ward/Precinct: 1-12-11

POLITICAL DISTRICTS

UG District: 6

At Large District: 2

Drainage District:

BPU:

Congressional: 3
Representative: 33
Separatorial: 6

Senatorial: 6
Polling Place 2010 N 66TH TER -

Address: KANSAS CITY, KS

66104-2667

APPRAISER INFORMATION

Class: C

Use: Resource extraction / mining highest and best use

Style: ExtWall: Roofing:

Basement: Foundation:

HVAC: Rooms:

Bedrooms: Full Baths: Half Baths: Total Fixtures:

Living Area: Built:

Phys. Condition:

Land Size: 125017

PARCEL INFORMATION

Parcel: 933207

KUPN: 059290300100400001

Status:

Tax Unit: 40

Volume: 35

TD: 1BB4 Book: 7A Reference: 2818

Map: 332

Map Section: E29

PROPERTY DESCRIPTION

PHOTO NOT AVAILABLE

Property Address: 8205 KAW DR KANSAS CITY KS 66111

Subdivision:

Assessed With Parcel: Assessed Here Parcel:

Sec-Twp-Range: 29-11-24

Description: 509B BEG NE COR SW1/4; S 1915FT

TO HIGH BANK RIVER, SWLY TO PT ON W LN E1/2 SW1/4, N 415FT, N37E-

2162.2FT, N 1376.6F

Book Page: 3345-0178

Frontage: 0.00 Left: 0.00 Right: 0.00 Rear: 0.00

Deeded Mapped Acres: Mapped SOFT: 737890.028

NAME & ADDRESS

Owner Name: KAW VALLEY SAND & GRAVEL INC

Mailing Address: 5600 KANSAS AVE KANSAS CITY KS 66106

Lender:

APPRAISAL SUMMARY VALUES UNDER APPEAL ARE SUBJECT TO CHANGE

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2020	\$69,660	\$17,415
2019	\$67,260	\$16,815
2018	\$58,370	\$14,593
2017	\$60,180	\$15,045
2016	\$77,000	\$19,250
2015	\$77,000	\$19,250
2014	\$77,000	\$19,250
2013	\$138,600	\$34,650

2012	\$79,160	\$19,790
2011	\$126,460	\$31,615
2010	\$126,460	\$15,175
2009	\$136,200	\$16,344
2008	\$136,160	\$16,339
2007	\$136,160	\$16,339
2006	\$136,160	\$16,339
2005	\$136,160	\$16,339
2004	\$111,140	\$13,337
2003	\$111,140	\$13,337

TAX YEAR	TD RATE	GENERAL TAXES	SPECIAL TAXES	FEES DUE	TOTAL DUE
2019	175.202496	\$2,946.04	\$0.00	\$87.45	\$3,033.49
2018	172.760032	\$2,521.10	\$0.00	\$0.00	\$0.00
2017	176.383101	\$2,653.68	\$0.00	\$0.00	\$0.00
2016	178.241569	\$3,431.16	\$0.00	\$0.00	\$0.00
2015	180.358000	\$3,471.90	\$0.00	\$0.00	\$0.00
2014	178.160000	\$3,429.58	\$0.00	\$0.00	\$0.00
2013	180.244187	\$6,245.46	\$0.00	\$0.00	\$0.00
2012	175.037450	\$3,464.00	\$0.00	\$0.00	\$0.00
2011	176.450000	\$5,578.48	\$0.00	\$0.00	\$0.00
2010	170.677000	\$2,590.02	\$0.00	\$0.00	\$0.00
2009	162.821000	\$2,661.16	\$0.00	\$0.00	\$0.00
2008	160.913000	\$2,629.16	\$0.00	\$0.00	\$0.00
2007	160.299000	\$2,619.13	\$0.00	\$0.00	\$0.00
2006	157.491000	\$2,573.25	\$0.00	\$0.00	\$0.00
2005	153.395000	\$2,506.32	\$0.00	\$0.00	\$0.00
2004	159.691000	\$2,129.64	\$0.00	\$0.00	\$0.00
2003	155.448000	\$2,073.05	\$0.00	\$0.00	\$0.00
			TOTAL:	\$87.45	\$3,033.49

LOCATION

Census Tract: 44004 Census Block: 1040

School District: 204

City/Ward/Precinct: 1-9-14

POLITICAL DISTRICTS

UG District:

At Large District: 2

Drainage District:

BPU:

Congressional: 3 Representative: 33 6 Senatorial:

Polling Place 149 S 78TH ST -Address:

KANSAS CITY, KS

66111-2909

APPRAISER INFORMATION

Class: C

Use: Mining / extraction operations

Style: ExtWall: Roofing: Basement: Foundation: HVAC:

Rooms: Bedrooms:

Full Baths: Half Baths:

Total Fixtures: Living Area:

Built:

Phys. Condition:

Land Size: 740956

The following information from The Wyandotte
County Echo reflects delinquent taxes for a
single year and does not address whether taxes
prior to the year reported were paid or
remained unpaid at the time of publication.

OFFICIAL Publication for Wyandotte County

The Hyandotte Echo

Volume LXX

THURSDAY, OCTOBER 24, 2019

Worried About Saving For College? Here Are The Key Points To Consider

With the high costs of college continuing to rise and many students and families saddled with heavy debt, saving for college has become as important as ever. Many people started savings plans early, while others either could not afford to or procrastinated.

The bottom line, says financial professional Alexander Joyce, is learning all the options that fit with a family's financial situation.

"It's never too late, but most people wish they had started sooner, and many don't know what investment option is best for their college funding needs," says Joyce, president/ CEO of ReJoyce Financial LLC (www.ReJoyceFinancial. com) and author of ReJoyce In Your Retirement: Everything You Need To Know To Get Everything You Want.

"Be honest and realistic about the college part of your family financials, and from there you can decide on ways to get there in discussions with a planner."

Joyce says the following points should be explored and evaluated before going forward with a college savings plan:

Your risk tolerance level Before committing to a college savings plan, it's important to determine how much you can afford to risk. "Just like anything in life, the higher the risk, the higher the potential reward," Joyce says. "If you start very early you likely can go higher risk somewhere down the road. At the same time, risk tolerance - and protecting your principal - is very important because college savings is a usually more conservative investment; it's a targeted investment, meaning you need an amount of money by a specific date."

The pros and cons of 529 plans. The 529 plan is an immensely popular college savings tool. Among the benefits are tax-deferred growth and tax-free withdrawals when savings are used for qualified education expenses. And as of

2019, individuals can contribute up to \$15,000 per 529 plan, per child annually without triggering a gift tax. However, there are some disadvantages, such as limited investment options and a 10 percent tax penalty applied when money in the account is used for non-qualified education expenses. "The 529 has traditionally been the way for many families, because you hear about it the most," Joyce says. "But if you're getting a late start on college savings, this may not be the plan for you. You may have to play catch-up by contributing larger amounts, and you also have a shorter window for seeing your investments recover from market volatility

Non-traditional college savings plans. "One of the best things some people can do is look outside the box

RE:

of traditional planning vehicles," Joyce says. "There's a big argument for adding an additional level of equities some say you would be better off buying a mutual fund or exchange-traded fund (ETF) to fundcollege For example, with some funds averaging 10-15% in the market the last 10 years. those who did exceptionally well took more market risk. exposing the principal to loss or gain. On the other hand, perhaps try a Roth IRA - it could double as a college savings account as well as a retirement account. There's no 10 percent penalty when Roth IRA withdrawals are used for qualified higher education expenses, but ordinary income tax may apply to any earnings withdrawn

before the age of 597." "When drawing a conclusion on a plan of action, stick to it the best you can," Joyce says. "Consistency wins the race."

About Alexander Joyce

Alexander Joyce is CEO and president of ReJoyce Financial LLC (www.ReJoyceFinancial. com), a full-service retirement income planning firm in Indianapolis, Ind. He's the author of ReJoyce In Your Retirement: Everything You Need To Know To Get Everything You Want. Joyce holds the NSSA (National Social Security Advisor) and CRPC (Charted Retirement Planning Counselor) designations. He hosts informational and educational seminars as well as the radio show Retirement Halftime Show. He can be seen monthly on Money Monday as well as Your Money on the IndyStyle program, broadcast by WISH-TV, myINDY-TV and WTHR in Indianapolis.

Notices, Billing and Subscription Information

Deadlines

For Guaranteed Publication: 10:00 a.m. Friday for publication in the next Thursday's issue.

For Late Notices, Corrections and/or Changes to currently running legals: 10:00 a.m. Monday for publication in that Thursday's

The Echo will make every effort possible to accommodate late notices. To verify the date of first publication for a late notice, please call our scheduling line at (913) 724-3444. For all other matters call (913) 342-2444.

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legals@wyecho.com

NOTICE TO ATTORNEYS

DESTRUCTION OF CERTAIN WYANDOTTE COUNTY DISTRICT COURT

RECORDS Notice is hereby given of the intent to destroy certain court records on or about November 17, 2019 In accordance with Supreme Court Rule 108, the following records will be destroyed.

CIVIL DEPARTMENT (CH. 60) CIVIL CASE FILES AND TRIAL DOCKET SHEETS

2008 CV 0001 through 2008 CV 2553 2008 DM 0001 through 2008 DM 3001

CRIMINAL DEPARTMENT CRIMINAL CASE FILES AND TRIAL DOCKET SHEETS 2008 CR 0001 through 2008 CR 1982

JUVENILE DEPARTMENT JUVENILE CASE FILES AND TRIAL DOCKET SHEETS 2008 JC 0001 through 2008 JC 443 2008 JV 0001 through 2008 JV 1123

LIMITED ACTIONS DEPARTMENT (CH. 61) LIMITED ACTIONS CASE FILES AND TRIAL DOCKET SHEETS

2008 LM 0001 through 2008 LM 12871 2008 SC 0001 through 2008 SC 257

PROBATE DEPARTMENT PROBATE CASE FILES AND TRIAL DOCKET SHEETS 2008 PR 0001 through 2008 PR 377

Application to take possession of the record should be in written form filed with the Clerk of the District Court. If application is granted by the Chief Judge, the requested files must be removed prior to the date set for destruction. KRISTI L. HILL

CLERK OF THE DISTRICT COURT DATED: October 16, 2019 (First published 10-17-19) 3t-The Wyandotte Echo-10-31-19

LEGAL NOTICE

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BENNETT, SCOTT D 12344 CLUBHOUSE DR KANBAS CITY KS

CARTER, FRED 354 N 11TH ST KANSAS CITY KS

207.26

Name

21ST MORTGAGE ONE CENTER SQUARE

KNOXVILLE IN 21ST MORTGAGE ONE CENTER SQUARE

\$20 MARKET ST FNOXVILLE TN

ACOSTA, JESUS A 3001 S 9TH 5T KANSAS CITY KS

AKERS, SHAWNA

MANSAS CITY AS ALDIES, IVONNA 5940 STATE AVE LOT 90

KANSAS CITY, KS ALLEN, JEROD 4413 MISSION RO KANSAS CITY, KS

ALLEN, ROBERT 3146 W BARKER CIR KANSAS CITY KS

ALLSTAR MOON WALKS %DARRELL CUTCHLOW JR. 7051 MIROS CIRCLE KANSAS CITY, KS

7434 EDGEHILL AVE KANSAS CITY KS ALVAREZ, JOSE A 3435 N 87TH 5T KANSAS CITY, KS

ALVARADO, PEDRO AUCENSIO 267 58

AMERICAN AUTO CREDIT INC 33,74

ANCHETA FUENTES, MARIA R 330.58 KANSAS CITY KS

AMERICAN EAGLE INVESTMENTS

POBOX 11125 KANSAS CITY, KS

APOLLO TRANSMISSION SERVICE INC 5050 DTATE AVE KANSAN DITY KS

7202 FOREST DR. KANSAS CITY, KS.

ARMIJO, LAHITY

ADDICTION STRESS CENTER % SCOTT M. ROBINSON, JR 1225 N 78TH ST # J KANSAS CITY, KS

A M B ACCOUNTING & TAX SERV25.85 8040 PARALLEL PKWY STE 250 KANSAS CITY, KS

Address Information

IUL		BETH, JOHN J 5022 ROW, AND AVI KANSAS CITY, KS	31
8 County		BLACKMAN, CANDICE J 7227 ASPEN	91
uent		KANSAS CITY, KS BLAKEY, KENNETH E 20 ROYAL DRIVE KANSAS CITY, KS	22
Property_ ist	•	BLARE, MICHAEL G 238 EMERSON AVE BONNER BPHINGS ES	1
ernment of		BLEVINS, MICKEY L 9950 SLOAN AVE KANSAS CITY KS	54
ansas City, Kansas ⁄likesic :nue/Treasury		BOHNERT, TERRY L 6500 KANSAS AVE LOT 57 KANSAS CITY, K.5	19
list are available at ourt House and An		62 SOUTHWEST DR BONNER SPRINGS KS	13
PLE	nex.)	1922 MATNET AVE KANSAB CITY, KB	10
Taxes Di	ıe	BOYD, FLOYD 6301 STATE AVE LOT 118 KANSAS CITY VS	15
1)		BRACKEN, AMANDA J BRACKEN, DENNIS M PO BOX 13046	11
ATKINS, RICHARD 5 III 3453 N 77TH ST *AMSAS CITY, KS	149,60	BRAKE, CHRIS PO BOX 13558 EDWARDSVILLE KE	64
BACKNECK TRUST 3218 WILLARD AVE KANSAS CITY, KS	229 46	BRENNAN, ANGELA 850 S 74TH I'L KANSAS CITY, KII	61
BACZ PEREZ, KEVIN A 1215 N 19TH ST KANSAS CITY, KS	30.60	BRITTON, JASEN L BRITTON, MELISSA 1831 S VALLEY ST	13
BAEZA-MENDOZA, TERESO 1934 N 15TH ST KANSAS CITY, KS	DE 281,08	KANSAS CITY KS BROWN, JEFF T	31
BAGEL WORKS BREAD COM	PANY	KANSAS CITY KS	
1923 6 45TH ST KANSAS CITY, KS	410.54	PO BOX 13721 EDWARDSVILLE, KS	18
BAILLY, MORETHA GONZALEZ, MORINDA PD BOX 13794 EDWARDSVILLE +3	122.26	BROWN, VICTORIA L. 7501 ASPEN KANSAS CITY KI	161
BAKER, DENNIS 5040 STATE AVE LOT 70 KANSAS CITY, KS	118.16	BUDGET AUTO PARTS II 941 S 26TH ST KANSAS CITY KS	470
BALLARD, AMBER 487 PARK DR BONNER SPRINGS, KS	99.00	BURGOA-CASTRO, SANDRA 6215 TROUP AVE KANSAS CITY KI-	147
BALLEW, JAMES C 336 PRATTAVE BONNER SPRINGS, KS	119.48	BURRIS, MARGE 6017 A KANSAS AVE CIR KANSAS GITY, KB	ite
BAR NONE LOUNGE N JOYCE D JUDD 1200 DSAGE AVENUE KANSAS CITY, KS	64.14	CABRINI, TRIPP 4751 WOOD AVI KANSAS CITY, ME	146
BARRO, JAMES W 1275 SCOTT AVE KANSAS CITY, KS	36.90	CALDERON, CESAR MARQUE, HARO-CALDERON, ANA MARL PO BOX 13702 EDWARDSVILLE RS	Z 303 A
BASLER, COURTNEY 111 LAKE FOREST DR BONNER SPRINGS, KS	536.72	CALVIN, WALTER L SR CALVIN, BRENDA 4215 N 107714 S1 KANSAS CITY, KG	85
BATALA PETROLEUM INC DEGOURSEY & COMPANY 900 N 5TH ST BANSAS CITY, KS	514,34	CAMPBELL, BRYAN W 1919 LAWRENCE CT KANSAS CITY RE	60
NATES FULLER, MELINDA 045 5 BOTH ST KANSIAS CITY, KS	444.16	CAMPOS-TELLEZ, SAMUEL 41 S 20TH 51 KANSAS GITY, KS	185
IAUER, KERRIE A 1716 S VALLEY ST KANSAS CITY, KS	36.90	CANO, JUAN P 1867 N 37TH ST KANSAS CITY, KS	147
BEACH, LAUREN 373 N 80TH TER KANSAS CITY, KS	196.12	CANTRELL, AMBER 6301 STATE AVE LOT 124 KANSAS CITY, KS	297
IEASLEY, MICHAEL 1008 N 63RD TER KANSAS CITY, KS	36.90	CARSON, JUANITA 1971 S 74TH ST PANSAS CITY KS	20.
Street a Zylian		\$2000 YANG	

LEGAL NOTIC	E	LEGAL NOTICE				
BENNETT, SCOTT D BENNETT, MARGARET C 12344 CLUBHOUSE DR	774.81	CARTER-IKERD, SHIRLEY 804 S 89TH ST KANSAS CITY KS	301.30			
HERNICE'S BAKERY 5051 SPEAKER RD	223.52	CARVER, DOMINIC T 3132 N 47TH ST KANSAS CITY, KS	36.90			
BEST HARVEST BAKERIES : 530 SOUTH 65TH STREET	22,951.73	CHAPPELL, JUNE 1209 PACIFIC AVE KANEAS CITY, KS	34.48			
BETH, JOHN J 5022 ROWLAND AVI KANSAS CITY, KS	36.90	CHILSON, JAMES E 1916 N.83RD TER KANSAS CITY, KS	16.90			
BLACKMAN, CANDICE J 7227 ASPEN KANSAS CITY, KS	96.98	CHIVALAN, CASTRO D 1406 N 27TH ST KANSAS CITY KS	294.58			
BLAKEY, KENNETH E 20 ROYAL DRIVE KANSAS CITY KS	228.14	CITY WIDE TREE SERV INC ROGERS, JEREMIAH PO BOX 3284 SHAWNEL KS	235.08			
BLARE, MICHAEL C 238 EMERSON AVE BONNER SPRINGS ES	16.27	CLARK, FRANK 7208 ABPEN KANSAS CITY KS	87.34			
BLEVINS, MICKEY L 9950 SLOAN AVE KANSAS CITY KS	544.08	CLASSIC COLLISION CENTER C/O JOHN BURDOLSKI 4835 METROPOLITAN	635.52			
6500 KANSAS AVE LOT 57 KANSAS CITY, KS	199.28	KANSAS CITY, KS COLEMAN, LISA 6025 KANSAS AVE	104.90			
BOLTON, ARTHUR IV 62 SOUTHWEST DR BONNER SPRINGS KS	130.00	KANSAS CITY, KS. COLEMAN, PHILLIP SR 58 LILAC LN	162.60			
BOND, TERRY 1922 MATNET AVE KANSAS CITY, KB	100.00	CONNERY, ANTHONY 59 S VALLEY ST	51.90			
BOYD, FLOYD 0301 STATE AVE LOT 118 KANSAS CITY KS	150.92	CONTRERAS, EDUARDO 1700 N 44TH ST	394.84			
BRACKEN, AMANDA J BRACKEN, DENNIS M PO BOX 13046 IDWARDBVILLE K5	116.08	CONTROL ASSEMBLIES CO II 3100 S 44TH KANSAS CITY, KS	NC 43.64			
BRAKE, CHRIS PO BOX 13558 EDWARDSVILLE KS	641.52	CONZENS, TRAVIS S940 STATE AVE LOT 16 KANSAS CITY KS	175.94			
BRENNAN, ANGELA. 850 S 74TH PL KANSAS CITY, KIJ	614.84	COPELAND, JAMES D 8424 PARALLEL PKWY KANSAS CITY, KS	40.94			
BRITTON, JASEN L BRITTON, MELISSA 1831 S VALLEY ST WAYSAS CITY, KS	138 30	CORDERO, ANTONIO G 5001 AL MA ST KANSAS CITY, KS	16.90			
BROWN, JEFF T 4711 LEAVENWORTH RO KANSAS CITY KS	35,90	COUNCE, ANDRE M 3438 W FLORENCE AVE LOS ANGELES, CA	25.31			
BROWN, RUBY M PO BOX 13721 EDWARDSVILLE, KS	187.14	COURTNEY, DAVID S 7456 ISABEL CT KANSAS CITY, KS	49,84			
BROWN, VICTORIA L 7501 ASPEN KANSAS CITY HE	168.22	CRANE, RICKY L 7213 PALMETTO KANSAS CITY KS	91.27			
BUDGET AUTO PARTS II 941 S 26TH ST KANSAS CITY HS	470 88	CHAWFORD, TREY A 11100 DELAWARE PKWY KANSAS CITY KS	36.32			
BURGOA-CASTRO, SANDRA 6215 TROUP AVE KANSAS CITY KIL	147.04	CRIGGER, KAREN BAIRD, CHARLES 7328 PITKIN KANSAS CITY KS	135.74			
BURRIS, MARGE 6017 A KANSAS AVE CIR KANSAS GITY, KB	86.60	CRISTALDO, MARIO M CRISTALDO, JENNIFER L 7508 EDGEHILL AVE KAMSAS CITY KS	575.55			
CABRINI, TRIPP 4751 WOOD AVI KANSAS CITY, ME	146.00	CROSSLAND, KAITLYN 6020 KANSAS AVE LIDT 21 KANSAS GITY, KS	213.72			
CALDERON, CESAR MARQUE HARO-CALDERON, ANA MARI PO BOX 13702 EDWARDSVILLE KS	Z 303.46 A	CROSSLEY, SARAH L 4926 SILVER AVE KANSAS CITY KS	39.40			
CALVIN, WALTER L SR CALVIN, BRENDA 4215 N 107TH 31 KANSAS CITY, KG	85 60	CROY, MARY VAN EMAN, MICELLE 811 S 75TH ST KANSAS CITY, KS	277.30			
CAMPBELL, BRYAN W 1919 LAWRENCE CT KANEAS CITY RE	60.08	CRUZ-RESENDIZ, JUSTINO 3130 W 45TH AVE KANSAS CITY KS	41.56			
CAMPOS-TELLEZ, SAMUEL 41 S 20TH ST KANSAS GITY, KS	185.37	CULLIGAN BOTTLED WATER 19625 W OLD 56 HIGHWAY OLATHE KS	18.35			
CANO, JUAN P 1867 N 37TH ST KANSAS CITY KS	147.28	CURRAN, HAROLD E JR 6500 KANSAS AVE LOT 63 KANSAS CITY, KS	69.64			
CANTRELL, AMBER 6301 STATE AVE LOT 124 KANSAS CITY, KB	297.12	CURTIS, HEATHER D CURTIS, LINDA P O BOX 13701	255.48			
CARSON, JUANITA 1071 S 74TH ST PANISAS CITY KS	20.68	DARK, ADAM 4913 N FREMONT AVE	36,90			
CARTER, FRED	59.90	RANSAS CITY MO				

DAVIDSON, CHAD M 5428 METROPOLITAN AVE KANSAS CITY KS	36,90	FORCK, ROGER FORCK, NAOMI 47:11 LEAVENWORTH RD KANSAS CITY, KS	36,16
DAVIS, DARRYL DAVIS, RUTH 7237 ASPEN DR KANSAS CITY, KS	45.42	FOSTER, NEFATERIA R 2029 N 87TH ST KANSAS CITY K5	36.90
DE LA RIVA, ELIZABETH 24 SOUTHWEST DR BOWNER SPRINGS, NO	302.42	FOWLER, TYLER 5 LENTZ, JARROD 7914 PARKVIEW AVI	36.90
DEAN, LEON E 3701 GEORGIAAVE KANSAS CITY, KS	36,90	FRAZIER, SHAWN M 3439 N 56TH TER KANSAS CITY, KS	36.90
DIAZ, HERMAN 93 ASHWOOD LANE BONNER SPRINGS, KS	184.78	FRENCH, RUSSELL 475 TERRACE TRAIL W LAKE QUIVIRA KS	18.27
DIAZ, MIGUEL 2533 B SOTH ST KANBAS CITY, KS.	74.08	FROST, MATHEW A 3003 S 42ND ST ANNAS CITY, HIS	262.38
DIAZ-BERUMEN, ROBERTO 44 TRACY DR BONNER SPRINGE HS	136.46	GALAXY ASSOCIATES 3630 E REMIPER HD CINCINNATI, OH	527.46
DIETZMAN, WILLIAM J DIETZMAN, DEBORAH 850 S 74TH TERR KANSAS CITY KS	432.92	GALVAN, DELILAH 971 S 75TH ST KANSAS CITY, KS	95.88
DITECH FINANCIAL LLC ATTN: CUSTOMER SERVICE PO BOX 6172 RAPID CITY, SD	685.58	GAMAS, YBETH GAMAS, IVETTE 7310 CLARK ST KANSAS CITY KS	155.42
0301 STATE AVE LOT 109 KANSAS CITY, KS	173.52	GARCIA SOSO, ULISES 2201 HASKELL AVI KANSAS CITY KIL	96.52
6715 WALKER AVE KANKAS CITY, KS	36.88	GARCIA, JOSE A 2405 STEWARTIAVE KANSAS CITY, KS	92.50
DOMINGUEZ-PACHECO, JOS 1413 N 18TH ST KANSAS CITY KS	E A417.54	GARCIA MARCO A. 23 S TREMONT ST KANSAS CITY KS	96.00
DONNELLY, YVONDA E 6040 KANSAS AVE LOT 3 KANSAS CITY KB	103.92	GARCIA, MARIA 5027 KANSAS AVE KANSAS CITY AS	117.02
SMO STATE AVE LOT 68 KANSAS CITY, KS	87.82	GARCIA, MONICA 5940 STATE AVE LOT#74 HANSAS CITY, KIJ	76.74
DUKE, RAYMOND K 0601 GARITIELD AVE HANEAS CITY KS	36.90	GARDNER, DAVID ANDERSON, MARG 5940 STATE AVE LOT 69 HANSAS CITY AS	187 34
MICHAEL ENGLISH 8100 PARALLEL PKWY STE KANSAS CITY KS		GARDNER, JEFF 5940 STATE AVE LOT 68 KANSAS CITY, KB	111.92
ED'S AUTO SALES ROBIN BONNER 4936 LEAVENMORTH RO KANSAS CITY, KS	254.18	GARICA, ROSA 7504 SWARTZ RD KANSAS CITY KB	154.90
LLIOT, KEITH 14728 W91ST ST 16 NEXA, KS	103.40	GOEMAN, JUSTIN 448 S 59TH LANE KANSAS CITY, KS	105.48
SCANILY, GUSTAUO 5040 STATE AVE LOT 1.1 KANSAS CITY, KS	37.24	GOMEZ OJEDA, JUAN J 13123 NEW JEHBEY AVE KANSAS CITY K.1	899.26
SPINO, LUIS G 2017 N 43RD ST KANSAS CITY KS	85.04	GOMEZ, RUBY 6301 STATE AVE LOT 97 KANSAS CITY, KS	66.00
1029 5 74TH ST	213,14	KANSAS CITY, NS	150.28
STPEN, STEPHAINE SOMO STATE AVE LOT 85	82.40	976 8 73RD ST KANSAS CITY, AS	
VANS, STACEY 5940 STATE AVE LOT # KANSAS CITY KS	57.48	DAUGHERTY, DERRICK 6500 KANSAS AVE LOT 93 KANSAS CITY, KIS	238.96
XECUTIVE STYLES AMES, JOHN 216 E 2ND ST STE 2	42.36	GRAM, LORETTA 5940 STATE AVE LOT 53 KANSAS CITY KS	65.34
BONNER SPRINGS. KS ERNANDEZ, JORGE A ERNANDEZ, ANA M 5127 EDITH AVE	64.20	GREGG, JACK AMERICAN EAGLE INVESTME PO BOX 11125 KANSAS CITY, KR	58,12 NT
SHER, TRACY 3125 N 44TH ST	39.04	GREGG, JACK AMERICAN EAGLE INVESTME PO BOX 11125 KANSAS CITY N.5	70 M
VE GUYS MORTGAGE 14150 E 11 MILE RO WARREN MI	100.82	GREGG, JACK AMERICAN EAGLE INVESTME PO BOX 11125 VANSAS CITY KS	161.18 NT
LORES MENDOZA, JOSE A 934 BARNETTAVE KANSAS CITY KS	75.58	Market States	390.60 YY
	329.12	KANSAS CITY KS GREGG, JACK AMERICAN EAGLE INVESTMEN	103.56 NT
	610.48	PO BOX 11125 KANSAS CITY KS	

Thursday, October 24, 2019

LECAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE
GREGG, JACK 397.44 AMERICAN EAGLE INVESTMENT PO BOX 11125	GREGG, JACK 528.80 AMERICAN EAGLE INVESTMENT PO BOX 11125	HERRA, MARTHA 247.32 43.SOUTI WEST DR BONNER SPRINGS KS	JUSTICE, RAVEN D 166.70 1105 S 59TH ST KANSAS CITY, KS	LIFT INC 84.84 FODERBERG GARY L 5525 KAW DRIVE	MCCLANAHAN, MICHAEL L. 356.50 1124 SCOTT AVE KANSAS CITY KS
KANSAS CITY KS GREGG, JACK 237 44 AMERICAN EAGLE INVESTMENT	GREGG, JACK 578.36 AMERICAN EAGLE INVESTMENT	HERRERA-RUIZ, CARMELA A 145.18 6500 KANSAS AVE LOT 119 KANSAS CITY KS	JUSTICE, RUSSELL D 169.28 JUSTICE, JUNE S 420 N 57TH ST	KANSAS CITY, KS LINO OROZCO, RAFAEL 132.74 PO BOX 4484 RAFAEL 132.74	MCDONELL, JACK 85.6 261 WOODEND RD BONNER SPRINGS, K5
PO BOX 11125 KANSAS CITY K3 GREGG, JACK 548,64 AMERICAN EAGLE INVESTMENT	PO BOX 11125 FANSAS CITY PS GREGG, JACK 500.84 AMERICAN EAGLE INVESTMENT	HITCHING POST TAVERN 35.46 1275 MERHAM LAND KANSAS CITY KS	KANSAS CITY RS KARL, JOSEPH 177,82 525 S 1180H RT BONNER SPRINGS, KS	KANSAS CITY KS LIPE, LEORY 67.62 5940 STATE AVE LOT 45 KANSAS CITY KS	MCREEHAN, MICHELLE 105.3 503 B GOTH DIN KANSAS CITY, RS
PO ROX 1025 KANSAS CITY KS GREGG, JACK 418.12	PO BOX 11125 KANSAS CITY KS GURROLA, URBANO 192.84	HMONG MANUFACTURING INC3.046.98 VANG, HER W 1900 OSAGE AVE KANSAS CITY, KS	KATES, TIM 149.58 5600 KANSAS AV KANSAS CITY, KS	LITTLEFIELD, STEVEN G 19.69 625 N 142NO 5T UONNER SPRINGS, KS	MCLAUGHLIN, ROBERT E 98.6 MCLAUGHLIN, BETTY A /812 HASKELL DR KANSAS CITY, KS
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	69 LLAC LN BONNER SPRINGS KS GUTIERREZ, SAUL 154,80	HOBBS, DAVID L 36,90° 30484 SKYVIEW DR EDWARDS, MO	KAW VALLEY COMPANIES INC1,140.79 5600 KANSAS KANSAS CITY KS	LOGSDON, DWAYNE C 599.94 3141 N 123RD TER KANSAS CITY KS	MCMECHAN, RHONDA 785.8: SANCHEZ, ELJU 35 ASHWOOD LN
GREGG, JACK 216.64 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KB	6810 ANTIOCH RD APT 254 MERRIAM KS GUTIERRUZ-SAENZ, MARTHA 215.10	HOBBS, MICHAEL 303.89 1007 5.75TH TERR KANSAS CITY, KS	HAW VALLEY SAND & GRYL INC 8.165.11	LOPEZ, ALEJANDRO 261.42 756 N 12ND ST KANSAS CITY KS	BONNER SPRINGS, KS MEASURE TWICE RESTORATION 1,114.50
GREGG, JACK 164.40 AMERICAN EAGLE INVESTMENT PO BOX 11125	1037 B 74TH ST KANSAS CITY KS HACKETT, PATRICIA 381.74	HOCKENSMITH, DONALD 318.66 PO BOA 13881 EDWARDSVILLE, KS	KANSAS CITY, KS. KAW VALLEY SAND & GRVL INC. 4,938.85	LOPEZ, CARLOS A PO BOX 10141 LENEXA KS	HAND W STTHAVE KANSAS CITY KS
GREGG, JACK 458.68 AMERICAN EAGLE INVESTMENT	P O BOX 13218 EDWARDSVILLE KS HALBIN, CINDY J 193,75	HOPPER, WAYNE D PO BOX 13021 EDWARDSVILLE MS	SEGO KANSAS AVE KANSAS CITY KS KAW VALLEY SAND & GRYL INC	LOPEZ, PHILIP J 37.96 5410 CLARK 51 KANSAS CITY KS	2901 S 25TH ST HANSAS CITY HS MERCER, VICTORIA 257.11
PO BOX 11125 KANSAS CITY, KS GREGG, JACK 208-28	CURRAN, PHILLIP 849 S 74TH TER MANSAS CITY KS	HOSTMANN-STEINBERG INC 373.44 ATTN: VENKAT SUBRAHMANIAN 2850 FESTIVAL DR	5800 KANSAS AVE KANSAS CITY KS	LOWDER, BARBARA 119.38 27 SOUTHWEST BONNER SPRINGS, K5	50 LILAC LN BONNER SPRINGS, KS METRO PROTECTIVE SERVICES401.6
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	HALE, STEVEN E 42.08 HALE, KEETON L 430 N 8151 TEHR KANSAS CITY HS	KANKAKEE IL HOUSE, JAMES 87.60 FOX, LAURIE	RAW VIEW MOBILE HOME PARK181.10 PO BOX 11308 KANSAS CITY KS	LOWE, LLOYD C 6746 CERNECH RD ANNSAS CITY KS	B160 PARALLEL PARKWAY KANSAS CITY, KS METRO TOWING 124.9
GREGG, JACK 342.98 AMERICAN EAGLE INVESTMENT PO BOX 11125 RANEAS CITY KS	HANIS, STEVE 132.62 15513 LAKEVIEW DR BONNER SPRINGS KS	2803 S 7 15T PL KANSAS CITY, KS HOWARD, AMANDA 126 44	KC HOMESTEAD LLC 132.96 11401 KAW DR EDWARDSVILLE, KS	LUGO, ARTURO A 36.96 946 SANDUSHY AVE KANSAN CITY KS	452 5 25TH ST KANSAS CITY, KS MID-AMERICAN DISTRIBUTORS 48 70
GREGG, JACK 295,60 AMERICAN EAGLE INVESTMENT PO BOX 11125	HANKINS, WILLIAM E 36,90 3818 PARALLEI, PKWY KANSAS CITY, KS	S940 STATE AVE LOT LOT SE KANDAS CITY, KD HOWARD, EDWARD S	KC HOMESTEAD LLC 168 24 11401 KAW DR EDWARDSVILLE, KS	LUNA RAMIREZ, RAQUEL 538.06 1419 N 28TH ST KANSAS CITY, KS	JAYHAWK RADIATOR 8072 LEAVENWORTH RD KANSAS CITY KS
GREGG, JACK 257.88 AMERICAN EAGLE INVESTMENT	HANKINSON, MICHAEL 36,22 4108 N 110TH ST KANSAS CITY KS	935 MANORCREST DR KANSAS CITY, KS HUGHES, BARBARA J 183,24	KC HOMESTEAD LLC 244.10 11401 KAW DR EDWARDSVILLE, KS	MACIEL ESQUIVEL, CESAR 605 40 MACIEL ESQUIVEL, ANTONIA 3424 BARNETT AVE	MID-AMERICAN DISTRIBUTORS 16 60 JAYHAWK RADIATOR 8022 LEAVENWORTH RD KANSAS CITY KS
PO BOX 11125 KANSAS CITY KS GREGG, JACK 346.02	HANNER, JENNIFER HANNER, DARREN 7441 EDGEHILL AVE	PO BOX 13505 EDWAITOSVILLE KS HUSKEY, LINDA MICHELLE 185.90	REEP ON TRUCKING LLC 647.08 1000 N 2ND ST KANSAS CITY KS	MANSAS CITY, KS MADRID, OSCAR G 1858 MINNESOTA AVE	MILLAM DITCHING LLC 603,70 1411 SOUTHWEST BLVO KANSAS CITY KS
PO BOX 11125 RANGES CITY, KE	HARP, JEAN 307.10.	6020 KANSAS AVE LOT 13 KANSAS CITY KS HUTCHESON, DEAN A 96.52	RELLY, TIMOTHY E 180.74 10415 RICHEAND AVE EDWARDS VILLE & S	MALDONADO, ALEJANDRO BASA 45 5 5TH ST	WILLER, ANDREW 2301 METROPOLITAN AVI KANSAS CITY KS
GREGG, JACK 534.64 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	BONNIER SPRINGE, KS HARSHMAN, JUSTIN M 6115 HOLLIDAY DR	2614 W 43RD AVE KANSAS CITY, KS HYATTE TRUCK SERVICE 143.36	KIELY, JEHF GOEBEL, TERESA PO BOX 13816 EDWARDSVILLE KS	MALDONADO, ANITA 190.61	MILLER, DOUGLAS 129.5- 6500 KANSAS AVE LOT 69 KANSAS CITY KS
GREGG, JACK 159,74 AMERICAN EAGLE INVESTMENT PO BOX 11125	KANSAS CITY, KS MARTFORD, NATHANIEL 16 90 HARTFORD, AMBER	6666 INLAND DR KANSAS CITY, KS ILLINOIS AUTO ELECTRIC CO7,434.66	KING, DARRYL L 36.68 2915 W 44TH AVE KANSAS CITY KS	13254 E 104TH DR COMMERCE CITY CO MARCUS, JEANNA ANN 96.28	MILLER, JAMIE M 109.7: 11153 NOGARD AVE KANSAS GITV. KS
GREGG, JACK 314.96 AMERICAN EAGLE INVESTMENT	3117 8 63RD ST KANSAS CITY KS HARVEY, LOLA 45.6Z	MIDWEST ENGINE WAREHOUSE 700 ENTERPRISE ST AURORA IL	KITTERMAN, ROBERT L 36.90. 4400 N B7TH ST KANDAS CITY, KS	2908 MARTIN LUTHER KING DR APT 1 LEAVENWORTH, KS	MILLER, MICHAEL E 264.31 15 ROYAL DR HANSAS EITY AS
PO BOX 11725 KANSAS CITY, KEL GREGG, JACK 114.00	2525 E 15TH LANE KANDAS CITY, KS HASTINGS, ANTHONY JR 39.54	5531 LEAVENWORTH RD 860.06 KANSASCHY, K5	LAPFERTY, SHERLIN 285.58 P D BOX 13888 EDWANDSVILLE RS	MARGUIA-RODRIGUEZ, PASCUAL55.78 261 S FERREE ST KANSAS CITY NS	MIRTH, JOSEPH M 55.76 119 N 80TH PL KANBAS CITY NS
PO BOX 11125 KANSAS CITY KS	2647 8 3157 ET KANSAS CITY, KS HECK, BEN 89,02	INSURE ONE LLC 184.44 CIGH PROPERTY HOLDINGS PO BOX 743608 DALLAS TX	LANDRETH, CASSANDRA 206.40 5500 KANBAS AVE LOT 111 KANSAS CITY KS	MARIN, MARISELA 384.74 PO BOX 13537 EDWARDSVILLE, KS-	MITCHELL, JOHN E 36.90 8700 W 72NO ST MERRIAM KG
GREGG, JACK 553.84 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	13600 WILLARD ST BONNER SPRINGS, KS HEETER, BRETT 37.58	IPAC CORPORATION 1,337.80 P.O. BOX 171037 KANSAS CITY KS	LARA, SILVA I 48.20 1221 S 3/TH ST KANSAS CITY KS	MARQUEZ, JAIME A 80.12 1850 TENNYSON ST KANSAS CITY, KS	MOGOLLAN-SANTILLAN, RICARDO 42.63 735 PACIFIC AVE
GREGG, JACK 456.84 AMERICAN EAGLE INVESTMENT PO BOX 11125	HENDRICKS, NATION R 3,311.28	JACKSON, BOBBY L JR 58.71 2925 CISSNA ST KANSAS CITY KS	LASITER, BRINDY R 1,391.60 LASITER, RITA S 9651 CRILSTWOOD DR	MARQUEZ-VICENTE, LEISLIET 88.68 2018 CENTRALAVE KANSAS CITY, KS	MONROE, JACK 80.12
GREGG, JACK 201.10 AMERICAN EAGLE INVESTMENT	7027 EDITHAVE KANSAS CITY KS. HENDRICKS, THOMAS L. 142.26	JACKSON, TODD D JR 8206 RIVERVIEW AVE KANSAS CITY KS	LAUDERDALE, DAN 18.42 LAUDERDALE, CATHY	MARTIN, ALAN D 36 90 7719 SWARTZ RD KANSAS CITY, KS	MOORE, RICHARD H 35.90
FO BOX H125 KANSAS CITY KS GREGG, JACK 224.16	ST25 DOUGLAS AVE KANSAS CITY KE HER, LEE 40.84	JAKOBE FUNNITURE LLC 160.79 450 5 55TH ST KANSAS CITY, KS	6046 SLOAN AVE KANSAS CITY, KS LAUGHERY, DONNA L 452,04	MARTINEZ, MARIA S 114 36 35 ASHWOOD BONNER SPRINGS, KS	HUTCHERSON, TABITHA 4134 N 1097H ST KANSAS CTIY, KS
AMERICAN EAGLE INVESTMENT PO BOX #1125 KANSAS CITY, KS	4936 GREELEY AVE KANSAS CITY, KS HERNANDEZ LOPEZ, ALFREDO 102,62	JAMISON, JAROD W 109.96 2912 S #TH TER KANSAS CITY, KS	26 SOUTIMEST BONNER SPRINGS KS LAWSON, DARRELL P 35.46	MARTINEZ, MEJIA 67.66 6522 W 74TH ST OVERLAND PARK, KS	MORALES, MIGUEL A 200.28 MORALES, RUTH I 6500 KANSAS AVE LOT 1 KANSAS CITY KS
GREGG, JACK 169.30 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	8447 TAUROMEE AVE KAMSAS CITY KS HERNANDEZ, CECILIA 61.50	JETTON, MELVIN 36.90 8504 OXFORD AVE RAYTOWN, MO	2505 N 33RO ST KANSAS CITY KS	MARTINEZ, RICARDO MEDINA 500,90 3935 STEWART AVE FANSAS CITY, KS	MORSE, MICHAEL W 43.38 3105 HAGEMANN ST FANSAS CITY, KS
GREGG, JACK 265.52 AMERICAN EAGLE INVESTMENT PO BOX 11125	5940 STATE AVE LOT 37 KANSAS CITY KS HERNANDEZ, ISRAEL 155.68	JIMENEZ-RODRIGUEZ, HILDA 33430 PO BOX 13586 EDWAROSVILLE KS	5162 KIMBALL AVE KANSAS CITY KS	MARTINEZ, RUTH A 64.82 5940 STATE AVE LOT 27 KANSAS CITY KS	MORTELL ROY (ROBERT) 270.24 MORTELL MIKALA 130 5 82ND 5T
KANSAS CITY, KB GREGG, JACK AMERICAN EAGLE INVESTMENT	6301 STATE AVE LOT 135 KANBAS CITY, KS HERNANDEZ, JOSE L 31,34	JOBE, RONALD T 6500 KANSAS AVE LOT 40 KANBAS CITY 63	842 5 741H TER KANSAS CITY, KS	MASON, LARRY F JR 703 08 1227 N 50TH TER: KANSAS CITY, KS	MOSBRUCKER, WADE A 23.89 5149 SWARTZ RD
PO BOX 11125 KANSAS CITY KS GREGG, JACK 432.84	HERNANDEZ, ANTONIO 2501 N 49TH TER KANSAS CITY, KS	JOHNSON, LARRY WILLIAM 362.78 3133 HASKELL AVE KANSAS CITY, KS	367 S 11TH ST KANSAS CITY, KS	MASONER, MICHAEL G 36.90 5017 EDGEHILL ST KANSAS CITY, KS	MOTS, ANTHONY 27.24 24 S 74TH ST
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	HERNANDEZ, MADRIO M 45.50 5650 GREST DR KANSAS CITY KB	JOHNSON, SAMANTHA KAY 421.58 41 ROYAL DR KANSAS CITY HS	LEIHY, JOANNE R LEIHY, SEAN PO BOX 13969 EDWARDSVILLE, K5	MATA, JESSICA 130.02 3238 N 34TH ST KANSAS CITY, KS	MS R'S CAFE 102.98 % RUTH SCOVER
GREGG, JACK 356-50 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANDAR CITY KD	HERNANDEZ, MERISA LOYA 176.42 HERNANDEZ, JAYIER 8301 STATE AVE LOT 108 KANEAS CITV KS	JONES, PAUL DANIEL 174.28 5350 CLARK ST KANSAS CITY KS	LERETA LLC 310.24 ATTN: TAX DISBURSEMENT TEAM 1123 PARK VIEW DIV	MATHIS, JAMES R PO BOX 13213 EDWARDSVILLE KS	720 QUINDARO BLVD KANSAS CITV KS MULLINS, GERALD P II 67:28
	HERNANDEZ-GOMEZ, SARAHI 174.65 710 BEMINARY ST KANSAS CITY KS	JURADO-ARVIZO, CESAR 77.88 1700 N 13TH ST KANSAS CITY KS	COVINA CA LEWIS, CHRIS E 75.02 7047 VERDE OR KANSAS CITY KS.	MAYHUGH, PHYLLIS 708 SE 10TH ST BENTONVILLE AR	KAYSAS CITY KS

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Publication for Wyandotte County

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Celebrate Día de los Muertos and Latino literature with KCKPL

Kansas City, Kansas Public Library is hosting a Dia de los Muertos celebration on November 2nd. The event will include live music from Pablo Sanhueza Latin Jazz Band and a performance by Los Bailadores de Ballet Folklorico de Kansas City. Attendees can view art and history exhibits including a full size altar, make a craft, take a photo in the photo booth, taste traditional foods, and check out items related to Latino and Hispanic art and culture. The first to arrive will receive free copies of Sonia Sotomayor's memoir, My Beloved World, and her new children's book, Turning Pages: My Life Story, available in English and Spanish. Books and food supplies are limited and will be given out on a first come, first served basis.

The event is part of a celebration of Latino and Hispanic art and culture, inspired by the exhibit Voces Americanas: Latino Literature in the United States, which is on loan to the library from Texas Humanities, the state affiliate of the National Endowment for the Humanities. For more than three decades, a literary renaissance has been going on in the United States. Through poetry, prose and drama, Latino authors illuminated the American experience for Spanish-speaking peoples whose ancestry goes back to Latin American lands. The exhibit introduces this vibrant literature and many facets of Latino culture. A celebratory survey of works by Latinos in the past thirty years, the exhibit presents images of authors, books, movie stills, public presentations, and illustrations.

The Dia de los Muertos Celebration will be November 2nd at 6:00 pm at South Branch Library, 3104 Strong Ave, KCK. More information is available on the library's website at kckpl.org.

The Wyandotte Echo

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For Guaranteed Publication: 10,00 a.m. Friday for publication in the next Thursday's issue.

For Late Notices, Corrections and/or Changes to currently running legals: 10:00 a.m. Monday for publication in that Thursday's issue.

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Federal and State Agencies Address Rising Use of E-cigarettes

TOPEKA - Kansas. along with the rest of the nation, is experiencing an increase in the use of e-cigarettes among youth. The Kansas Department of Health and Environment (KDHE), along with its partners, seeks to raise awareness of the potential harm to those who use this product. According to the 2017 Kansas Youth Risk Behavior Survey, one in 10 (10.6 percent) high school students in Kansas currently use e-cigarettes. And national data show that e-cigarette use among youth increased from 1.5 percent in 2011, to 11.7 percent in 2017, E-cignrettes are now the most commonly used tobacco product among U.S. youth. This month, the Centers

for Disease Control and Prevention (CDC) released an analysis of retail e-eigarette sales data from 2013-2017. It shows that sales of JULI., an e-eigarette shaped like a flash drive, grew more than seven-times from 2016 to 2017, and JUUL Laboratories held the greatest share of the U.S. e-cigarette market by December 2017. In September, the Food and Drug Administration (FDA) announced the issuance of more than 1,300 warning letters and fines to retailers that illegally sold JUUL and other e-cigarette products to minors

"Youth use of e-cigarettes is concerning because e-cigarettes often contain nicotine, and nicotine exposure during adolescence can cause addiction and can harm the developing brain," said Dr. Greg Lakin, Chief Medical Officer, KDHE. "JUUI, products contain particularly high levels of nicotine."

The U.S. Surgeon General concluded in a 2016 report that the use of tobacco products containing nicotine among youth. including e-eigarettes, is unsafe. E-cigarettes produce an aerosol that generally contains fewer toxic chemicals than secondhand smoke from cigarettes. However, it can contain many harmful and potentially harmful substances, including nicotine, heavy metals like nickel, tin and lead, volatile organic compounds, and cancer-causing chemicals. Because e-cigarettes have risen in popularity so quickly, the long-term effects and dangers of inhaling the aerosol from e-cigarettes are still relatively unknown.

The 1998 Master Settlement Agreement (MSA) imposed restrictions on tobacco industry marketing, specifically on advertising targeting youth, Exposure to tobacco product advertising has been shown to influence young people to start using tobacco products. E-cigarette companies, however, were not included in and are not restricted by the MSA. E-cigarette companies are using techniques identical to those used by tobacco companies that have been shown to increase use of cigarettes by youth, and research shows they have been successful in their attempts to reach youth. The 2016 National Youth

Tobacco Survey found that 78.2 percent of middle and high school students had been exposed to e-cigarette advertisements from at least one source.

E-eigarettes are not one of the seven medications approved as a "quit smoking" aid by the FDA. The U.S. Preventive Services Task Force concluded that there is not enough evidence to recommend e-cigarettes for smoking cessation in adults. Many adult e-cigarette users do not stop smoking cigarettes and instead transition to dual use of both eigarettes and e-eigarettes. In 2016, more than half (56.1 percent) of Kansas adults who currently use e-eigarettes were also current cigarette smokers.

The U.S. Surgeon General concluded in a 2016 report that actions should be taken at the national, tribal, state and local levels to address and prevent e-cigarette use among youth and young adults. One of these recommended actions is engaging youth in comprehensive community and statewide tobacco control programs. Resist is a statewide youth-led tobacco prevention initiative that seeks to change youth perceptions of tobacco use. reduce youth exposure to tobacco products and reduce tobacco use rates in Kansas. Resist is sponsored in part by KDHE. For a complete list of resources on e-cigarettes and other tobacco products impacting Kansas youth, please visit http://www.kdheks.gov/ tobacco/youth.html.

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20.68 GOEMAN, JUSTIN

LEGAL NOTICE

DOZIER, RUSSELL

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LEGAL NOTICE

LEGAL NOTICE

PUBLIC NOTICE

Wyandotte County Delinquent Personal Property Tax List

Unified Government of Wyandotte County, Kansas City, Kansas Deborah Pack Director of Revenue/Treasury

(Additional copies of this list are available at the Treasurer's Office at the Court House and Annex.)

EXAMPLE

Name

Taxes Due

Address Information

		Former country	
21ST MORTGAGE ONE CENTER SQUARE 620 MARKET ST KNOXVILLE TN	399.34	SHAD STATE AVE LOT 78 KANSAS CITY, KS	105.98
21ST MORTGAGE ONE CENTER SQUARE 620 MARKET ST KNOXVILLE TN	348.79	BAR NONE LOUNGE % JOYCE D JUDD 1200 GSAGE AVENUE KANSAS CITY, KB	48,54
A M B ACCOUNTING & TAX SE 8040 PARALLEL PKWY ST KANSAS CITY KS		BARINGER, MINDY 2102 9 39TH ST KANSAS CITY, KS	20.68
ADRIAN, VIRGINIA L 11218 W 57TH TER SHAWNEE K5	264.60	BARNES, ELDON 3015 N 69TH ST KANSAS CITY, KS	2.10
ALDIES, IVONNA 5940 STATE AVE LOT 90 KANSAS CITY KS	178.44	BARRO, JAMES W 1275 SCOTT AVE KANSAS CITY, KB	20.68
ALLEN, BRENDA 7515 ASPEN KANSAS CITY, KS	68.38	BASLER, COURTNEY 111 LAKE FOREST DR BONNER SPRINGS KS	538,66
ALONSO-MENDEZ, JOSE I. 857 OHIO AVE KANSAS CITY, KS	83.24	BATES-FULLER, MELINDA B45 S 80TH ST KANSAS CITY, KS	461.18
ALVARADO, PEDRO AUGENSI 7434 EDGEHILL AVE KANSAS CITY, KS	0 254.00	BAYSHORE AHP HOME SALE: 68,04 7301 BUTTONWOOD ST KANSAS CITY, KS	SLLC
AMERICAN EAGLE INVESTME 346.36 PO BOX 11125 KANSAB CITY KS	NTS	BEACH, LAUREN 373 N 80TH TER KANSAS CITY, KB	164,84
PO BOX 4142 FANSAS CITY, KS	297.56	BEARD, DAVID BEARD, IRENE 964 S 73RD ST KANSAS CITY, KS	312 48
APOLLO TRANSMISSION SERVICE INC 5050 STATE AVE KANSAS CITY, KS	234.36	BEARD, KEVIN J 2215 N 59TH ST KANSAS CITY, KS	90.56
ARAMARK REFRESHMENT SE	ERVICES 228.58	BEEBEE, DIANA 5940 STATE AVE LOT 6 KANSAS CITY, KS	41,56
POBOX 7537 PHILADELPHIA PA		BEGEMANN, SUSAN MAUREE 7465 EDGEHILL AVE	N 143.14
ARITA FRANCISCO E 3247 WEBSTER AVE KANSAS CITY KS	47.06	HEJAN, GEORGE JR	14.45
ATKINS, RICHARD 5 III 3453 N 77TH 51 KANSAS CITY, KS	137.66	BHAWNEE KS BENNETT DONNA	261.04
BACKNECK TRUST 3218 WILLARD AVE	192.94	PO BOX 13725 EDWARDSVILLE RS	290.03
KANSAS CITY, KS		BERGERHOFER, JOSHUA 3106 S 45TH ST	20.68
BAEZ, LUIS 3136 S STH ST KANSAS CITY #5	45.54	BETH, JOHN J 1072 ROWLAND AVE	20.68

BETH, JOHN J S022 ROWLAND AVE KANSAS CITY, KS

104.02

HEYER, DANIEL J 2444 S 42ND ST KANSAS CITY KS

BAEZA-MENDOZA, TERESO DE 223,17 1034 N. 167H 87 KANSAS CITY, KS

LEGAL NOTICE	E	LEGAL NOTICE	_
BLAKEY, KENNETH E 20 ROYAL DRIVE KANSAS CITY KS	360.10	CHERRY TREE ENTERPRISES 1620 S 45TH STREET KANSAS CITY, KS	764.90
BOCH, GLEN 88 ROYAL DRIVE KANSAS CITY KB	471.10	CHILSON, JAMES E 1916 N 83RD TER KANSAS CITY, KS	20.68
BODENHAMER, ASHLEY M BODENHAMER, BREAN L 1009 5 75TH TER # 66 KANSAS CITY KS	178.67	CITY WIDE TREE SERVING ROGERS, JEREMIAH PO BOX 1264 SHAWKEE, KS	102.84
BOHNERT, TERRY L 6500 KANSAS AVE LOT S7 KANSAS CITY KS	206.36	COALITION FOR INDEPENDENCE 4911 STATE AVE KANSAS CITY, KS	137.76
BOLTON, ARTHUR IV 62 SOUTHWEST DR BONNER SPRINGS RS	119.54	GOLEMAN, PHILLIP SR SOULAG LN BONNER SPRINGS KS	154.62
BOND, TERRY 1922 MATNEY AVE KANDAS CITY RS	83.82	CONTRERAS, EDUARDO 1700 N 44TH ST EANSAS CITY #5	431.22
BOUNDS EXTERMINATORS 1738 SOUTHWEST BLYD HANSAS CITY RS	28.22	COPELANO, JAMES D 8424 PARALLEL PKWY KANSAS CITY KS	21.92
BOUNDS, MONTE L 4460 SPRINGFIELD ST KANSAS CITY KS	20.65	CÓRDERO, ANTONIO G 5001 ALMA ST KANSAS CITY KS	20.68
BOYER BETH PO BOX 171793 KANSAS CITY HS	67.08	CRAWFORD, TREY A 11100 DELAWARE PKWY KANSAS CITY, KS	23.38
BRAKE, CHRIS PO BOX 13558 EDWARDSVILLE KE	688.50	CRISTALDO, MARIO M CRISTALDO, JENNIFER L 7508 EDGEHILL AVE	159.08
BREWSTER STEVEN 6301 STATE AVE LOT 146 KANSAS CITY KS	146.60	CROSSLAND, KAYTLYN 6020 KAYSASI AVE LOT 21 KANSAS CITY, KS	219.56
BROWN, JEFF T 4711 LEAVENWORTH HD KANSAS CITY, R.S	23.54	CROY, MARY VAN EMAN, MICELLE 811 S 75TH ST	375.46
BROWN, RONALD M 4749 WINDSOR ST ROELAND PARK, KS	14.46	KANSAS CITY, KS CRUZ-CONTRERAS, SERGIO 1021 ORVILLE AVE	132.16
BROWN, VICTORIA L. 7501 ASPEN KANSAS CITY, KS	156.56	KANSAS CITY, KS GRUZ-RESENDIZ, JUSTINO	21,04
BRUNER, COLE A 9749 LEAVENWORTH HD KANSAS CITY HS	14.46	3130 W 45TH AVE KANBAS CITY KS CSM BAKERY PRODUCTS N.A.	230.65
BUCKLES, JASON 138 DOCKSIDE GIR LAKE TAPAWNGO, MO	85.60	MARVIN F, POER & COMPANY 12720 HILLOREST RD STEE DALLAS, TX	
BUCKNER, TERESA A PO BOX 13882 EDWARDSVILLE, KS	456.66	CUPP, MICHAEL A 2620 ESPENLAUB LN KANSAS CITY, KS	20.68
BUDGET AUTO PARTS II 941 S 267H ST KANSAS CITY, K5	307.44	DARK, ADAM 5644 EDGEHILL ST KANSAS CITY, KS	14.46
BURKE, JOEY D BURKE, AMY J 7225 PITKIN ST	317,22	DARK, DALE E 11 N 715T TER KANSAS CITY KR	57.32
KANBAS CITY, KB- IIYERS, DWIGHT L 3023 N 33RD ST	33.36	DAVE'S LAWN CARE #616 CLEVELAND AVE KANSAS CITY, KS	114.66
KANSAS CITY, KS CABRINI, TRIPP 4751 WOOD AVE	214.80	DAVIDSON, CHAD M 5428 METROPOLITAN AVE KANSAS CITY, KS	14.46
KANSAS CITY, KS CALZADA, JULIO G 2122 N 771H TER	15.12	DAVIS, DARRYL DAVIS, RUTH 7237 ASPEN DR KANSAS CITY, KS	968.82
KANSAS CITY KS GAMPBELL, TIM 6500 KANSAS AVE LOT 89	231,18	DAVIS, DERIC 4066 N 107TH TER KANSAS CITY, KS	179.64
KANSAS CITY KS CAMPOS-TIERRAFRIA, ADRIAN 225 S FERREE ST	464.26	DEBELLA, JOSEPH A 6301 STATE AVE LOT 46 KANSAS CITY, KS	69.40
CANTRELL, ORPHA RENEE	221.26	DIETZMAN, WILLIAM J DIETZMAN, DEBORAH	278,90
KANSAS CITY, KB CARSON, LARRY S JR	25.68	850 S 74TH TERR KANSAS CITY KS DISABLED AMERICAN VETERANS	5 22.98
CARTER FRED	37.72	#01-805 MINNESOTA KANSAS CITY, KS	
RANGAS CITY, FA	20.68	DIVERSE ADVISORY GROUP LE JDC MANAGEMENT CO 10601 KAW DR # CA EDWARDSVILLE, K5	481.24
CAUDLE, MARGUS W	33.78	DIZMANG, JESSY 8939 ALLMAN RD LENEXA, KS	70.92
442 S 71ST ST KANSAS CITY, KS CHAUDHRY, SAJJAD	541.10	DOBBINS, AMBER 6301 STATE AVE LOT 109 KANSAS CITY KS	171.38
2859 ETATE AVE KANSAS CITY #3 CHAVEZ VAZQUEZ ISRAEL	319.74	DOMINGUEZ PACHECO, JOSE A 1413 N 18TH ST KANSAS CITY, KS	1380.38
2713 N 64TH ST KANEAS CITY KS	-	A TOWN A CONTRACTOR	38,68

933 N 62ND PL KANSAS CITY KS	20.68	GOEMAN, JUSTIN 92.54 448 S 59TH LANE KANSAS CITY KS
DUGAN, MATTHEW J 8715 WALKER AVE KANSAS CITY HS	39.40	GOMEZ OJEDA, JUAN J 13123 NEW JERSEY AVE KANSAS CITY KS
EAGLE REALTY MONT SERVICES MICHAEL ENGLISH 8150 PARALLEL PRWY STE KANSAS CLTV KS		GONZALES ACEVES, JORGE 216.18 CONSTANCIO ROSAS, YESENIA 6500 KANSAS AVE LOT 132 KANSAS CITY, KS
EBBERTS, KEITH R 2906 5 9TH PL FANSAS CITY KS	14.46	GONZALEZ AUTO REPAIR INC 13.66 803 OSAGE AVENUE KANSAS CITY KS
EHLERS, CHRIS 20116 W 92ND ST LENEXA, KS	48.30	GONZALEZ, JUAN V 102.10 2310 WOODEND AVE KANSAS CITY KS
ELLISON, WINSTON E 1608 YECKER AVE KANSAS CITY K5	20,68	GONZALEZ-GUITERREZ, FELIPE DE JESUS 108.58 27 TRACY DR
ENCOUNTER CHURCH 490 S 137TH ST BONNER SPRINGS KS	207.98	BONNER SPRINGS #5 GONZALEZ-SIFUENTES, MAYRA 234.72 976 S 7.3RD 5T
ENGLAND, BENNETT D E511 W 114TH 5T OVERLAND PARK, KS	20.68	KANSAS CITY, KS GOWING, RIKKI 314 60 DAUGHERTY, DERRICK
ESPINOZA, MICHELLEA C ESPINOZA, ISMAEL 965 S 73RD PL	202.24	6500 KANSAS AVE LOT 93 KANSAS CITY, KS GRAM, LORETTA 42.54
KANSAS CITY, KS	12.40	S940 STATE AVE LOT 53 NANSAS CITY, M.S.
22511 W 60TH ST SHAWNEE #S	140.04	GREGG, JACK 50,04 AMERICAN EAGLE INVESTMENT PO BOX 11125
FELIX, MARGARITA FELIX GARCIA, EGRICELDA	107.74	KANSAS CITY, KS
930 SCOTT AVE LOT 4 KANSAS CITY, KS FERGUSON, JASON	721,10	GREGG, JACK 64.56 AMERICAN EAGLE INVESTMENT PO BOX 11175 KANSAS CITY, KS
PO BOX 13216 EDWARDSVILLE, KS		GREGG, JACK 165,04
FIGUEROA-MORALES, JORGE 4243 E 62ND ST KANSAS CITY, MO	F 94.90	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS
FLAKUS, CHARLES J 2204 S 18TH ST FANSAS CITY, KS	131.44	GREGG, JACK 409.34 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS
FLORES-CARRILLO, AVRELIO 814 S 75TH STREET KANSAS CITY, KS	250.02	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS
FLUEGGE, BENJAMIN R 316 S 82NO ST KANSAS CITY, KS	145.22	GREGG, JACK 416.82 AMERICAN EAGLE INVESTMENT PO BOX 11125
FOLEY, JOE D 1714 WOODLAND BLVD KANSAS CITY, KS	43.28	KANSAS CITY KS GREGG, JACK AMERICAN EAGLE INVESTMENT
FONSECA, ANDRES R 12126 AUGUSTA DR KANSAS CITY, KS	144.48	PO BOX 11125 KANSAS CITY KS GREGG, JACK 581.24
FORBIS, KEVIN CARTER 326 N 18TH ST KANSAS CITY, KS	654.56	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS
FOSSETT, NANCY E 1039 S 75TH STREET KANSAS CITY KS	168.30	GREGG, JACK 439.84 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS
FOSTER, NEFATERIA K 2029 N 87TH ST KANSAS CITY, KS	20,68	GREGG, JACK 229-14 AMERICAN EAGLE INVESTMENT PO BOX 11125
FREEMAN, NEIL 231 SHADYSIDE AVE BONNER SPRINGS, KS	21.92	GREGG, JACK 108.26 AMERICAN EAGLE INVESTMENT
FROST, MATHEW A 3003 S 42NO 6T KANSAS CITY, KS	243,70	PO BOX 11125 KANSAS CITY KS GREGG, JACK 480,38
FRYE, BRETT KIRK, JENMFER 6500 KANSAS AVE LOT 103 KANSAS CITY, KS	303,06	PO BOX 11125 KANSAS CITY, KS
GAMAS, YBETH GAMAS, IVETTE 7210 CLARK ST KANSAS CITY, KS	147,16	GREGG, JACK 182.26 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS
GAMBREL, JARED S JOID N SATH TER KANSAS CITY, KS	47,94	GREGG, JACK 211.46 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, NO.
GARCIA BERBER, CECIUA 1940 STATE AVE LOT ET KANSAS CITY, KS	44.34	GREGG, JACK 314.24 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY #S
GARONER, JEFF 5940 STATE AVE LOT 68 KANSAS CITY, KS	105.44	GREGG, JACK 277.54 AMERICAN EAGLE INVESTMENT PO BOX 11125
GARICA, ROSA TSOM SWARTZ RD KANSAS CITY, KS	152,08	KANSAS CITY KS GREGG, JACK AMERICAN EAGLE INVESTMENT
GILMORE, JOHN T 408 S 59TH LN KANSAS CITY, KS	287.44	PO BOX 11125 KANSAS CITY KS GREGG, JACK 356.82
GIRARDI, AUGUSTINO A 4218 N 121ST TER KANSAS CITY KS	647.06	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY #S

Thursday, October 18, 2018

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LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE
GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125	HARP, JEAN 309.24 19 ASHWOOD LA BONNER SPRINGS KS	HUBBARD, RICHARD L 406.68 1108 S 747H TERR KANSAS CITY, KS	KC HOMESTEAD LLC 60.83 11401 KAW DR EDWARDSVILLE, KS	MAGEE, CHARLES M 683,90 MAGEE, RUTH M 7445 EDGEHILL AVE	MCTAGGART, GREGORY D 45.50 233 N 82ND TER KANSAS CITY KS
KANSAS CITY, KS GREGG, JACK AMERICAN EAGLE INVESTMENT	HARVEY, LOLA 31.60	HUFFINGTON, RONALD K 217.50 HUFFINGTON, NANCY A 7400 EDICEHILL AVI	KC HOMESTEAD LLC 124.52 11401 KAW DR EDWARDSVILLE KS	MALDONADO, ANITA 172.73 CIO ESCALANTE SHARON 13254 E 1041 H DIT	MEASURE TWICE RESTORATION 1,089.26 1410 W 37TH AVE KANSAS CITY KIL
PG BGX 11125 KANSAS CITY, K5 GREGG, JACK AMERICAN EAGLE INVESTMENT	HASTINGS, ANTHONY JR 44.00 2647 5 315T ST KANSAS CITY, KS	HUGHES, BARBARA J 2.29 PO BOX 13506 EDWARDSVILLE, KB	KEITH, JASON W 42 92 LEACH, CLIFFORD 0 6835 LONGWOOD AVE KANSAS CITY, KII	COMMERCE CITY CO MARCUS, JEANNA ANN 82.12 2908 MARTIN LUTHER KING DR	MEMA'S OLD FASHBONED BAKERY 1,079.84
PO BOX 11125 KANSAS CITY KS GREGG, JACK 108.	HECK, BEN 74.66 13600 WILLARD ST BONNER SPRINGS KS	HULLETT, ALEX 725T FOREST DR # 4 KANSAS CITY &S	KELLEY, TRAVIS 5 20,68 5101 PITKIN AVI KANSAS CITY KS	LEAVENWORTH KS MARGUIA-RODRIGUEZ, PASCUAL 39-40	MEMORIAL PARK GEMETERY 1,312.16 ATTN: DON BALLARD
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY MS	HECKERT, BRIAN 507.22 1140 S 75TH ST KANSAS CITY, KS	HUSH, GARY 6500 KANSAS AVE LOT 24 KANSAS CITY KS	KENDALL, CARL W 375.32 2136 N 497H ST KANSAS CITY, KS	261 S FERREE S1 KANSAS CITY KS MARRUFO, JAMIE 42.88	3223 N 18TH ST KANSAS CITY, KS MERAZ-MIRANDA, OSCAR 382,16
GREGG, JACK 567. AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	HEMM, MICHAEL E 213.50 7216 FOREST DR KANSAS CITY KB	HUTCHESON, DEAN A 26 43 2614 W 43RD AVE EANSAS CITE KS	KENNEY, JOSHUA 53 86 230 E 30TH ST APT 101 *ANSAS CITY MO	MARRUFO, RAMON 349 N 29TH ST KANSAS CITY, KB	1812 LEACT KANSAS CITY, KB MESEKE, BRADLEY 14.46
GREGG, JACK 468, AMERICAN EAGLE INVESTMENT PO BOX 11125	HENDRICKS, NATHAN R 2,445.40 7027 ECKTH AVE KANSAS CITY, KS	HYATTE TRUCK SERVICE 69.04 6606 INLAND DR KANSAS CITY, KS	KIRBY, LEONARD B 25.52 3134 N 44TH ST KANSAS CITY, KS	MARTIN, MIKE 15 98 1218 WILLAID AVE KANSAS CITY KB	19184 758TH RD ATCHISON KILL MICRONEX INC 428,96
KANSAS CITY KS GREGG, JACK 211. AMERICAN EAGLE INVESTMENT	HENDRICKS, THOMAS L 5325 DOUGLAS AVE KANSAS CITY KS	IKE C AUTOMOTIVE REPAIR 61,29 1101 MINNESOTA AVE KANSAS CITY, KS	KITTERMAN, ROBERT L 20 68 4400 N 97TH ST KANSAS CITY KS	MARTIN, RICKIE L 532.00 ASHBERGER, MELANIE 3951 BARNES DR KANSAS CITY, KS	SANDRA BROWNLEE PO BOX 140 BONNER SPRINGS, KS
PO BOX 11125 KANSAS CITY KS GREGG, JACK 218		ILLINOIS AUTO ELECTRIC CO 7,454.82 % MIDWEST ENGINE WAREHOUSE 700 ENTERPRISE ST	KOEHLER CONSTRUCTION CO. 714.48 1/4 WILLMAR E KOEHLER 1044 OSAGE	MARTINEZ, MEJIA 52:60 5522 W 74TH ST OVERLAND PARK, KS	MIDWEST SALES 1,743.46 % GREGORY A. SCOTT 6370 KANSAS AVE KANSAS GITY, KS
PO BOX 11125 KANSAS CITY; KS	HERNANDEZ, ENRIQUE 189-28 2501 N C ST GARDEN CITY KS	IPAC CORPORATION 3.274.54.	KANSAS CITY, K5 KORDONOWY, RUSSELL 103.82 6878 GREENFIELD DR	MARTINEZ, MONICA 3401 METROPOLITAN AVE KANSAS CITY, KS	MILLAM DITCHING LLC 1,193,61 1411 SOUTHWEST BLVD KANSAS CITY, KB
GREGO, JACK 106 AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	HERNANDEZ, IBRAEL 221.88 6301 STATE AVE LOT 135 KANSAS CITY, FS HERNANDEZ, MADRID M 30.54	J. OLIVER CONSTRUCTION LLC 1,147.08 3401 POMERCY DR	RAPID CITY, SD KRISMAN, PATRICK A 4429 5 MINNIE ST KANSAS CITY KS	MARVINE, GARY L 2.65 11601 BROOKWOODLAVE LEAWOOD KD	MILLER, JAMIE M 101.00 11151 NOGARO AVE KANSAS CIFY, KS
GREGG, JACK 289. AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS		XANSAS CITY, KS JACK COOPER TRANSPORT CO INC 14,005.12	LAFFERTY, SHERI N 274,24 PO BOX 13888 EDWARDSVILLE KS	MASON, WARREN R 1925 N 691H THI KANSAS CITY, KS	MILLER, MICHAEL E 269.20 15 ROYAL DR KANSAS CITY, KS
GREGG, JACK 1M6. AMERICAN EAGLE INVESTMENT PO BOX 11125	28.92	1100 WALNUT ST STE 2400 KANSAS CITY, MO	LARA, JOSE 200.10 302 S BOEKE ST	MASONER, MICHAEL G 20.68 24 N TREMONT ST KANSAS CITY, KB	MIRANDA, FABIOLA 164.15 454 PARK DR BONNER SPRINGS, KS
KANSAS CITY, KS GREGG, JACK AMERICAN EAGLE INVESTMENT	HERNANDEZ-GOMEZ, SARAHI 333.90 710 SEMINARY ST KANSASI CITY, KS	JACOBS, AKIKO 9.87 P O BOX 4269 KAN5AS CITY, K5 JAKOBE FURNITURE LLC 700.64	KANSAS CITY KS LARA, SILVA1 1221 S J7TH ST	MATERIAL HANDLING SERVICES 3,924.80 CORPORATE APPRAISAL	MIRTH, JOSEPH M 39.40 119 N 80TH PL KANSAS CITY, KS
PO BOX 11125 KANSAS CITY NS GREGG, JACK 369	HERR, SOLO 20,68 1921 S 32ND ST KANSAS CITY, KS	450 S 651H BT KANSAS CITY KS JAMES, RAYMOND G ZB.04	LASITER, BRINDY R 919.80 LASITER, RITA 5 9651 CHI STWOOD DR	MANAGEMENT LLC 3235 LEVIS COMMONS BLVD PERRYSBURG, OH MATRIS, JAMES R 20.68	MITCHELL, JOHN E 21,56 8700 W 12ND ST MERRIAM KT
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	HERRA, MARTHA 43 SOUTHWEST DR BONNER BPRINGS, KS	2424 5 63RD TER KANSAS CITY, KS JETTON, MELVIN 20,68	EDWARDSVILLE KS LAUGHERY, DONNA L 431,14- 26 SOUTHWEST	MATHES, JAMES R 20.68 PO BOX 13/13 EDWARDSVILLE KS MATHES, JERRY B 375.58	MOCK, KALIEN 347.66 PO BOX 13603 EDWARDSVILLE KS
GREGG, JACK 548. AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, K5	DB HICKS, JOHN 72.20 5637 MIAMI AVE KANSAS CITY KS	8604 OXFORD AVE RAYTOWN MO JIMENEZ-RODRIGUEZ HILDA 130.82	BONNER SPRINGS, KS LAUGHLIN, LORI L 24.44 4331 GEORGIAAVE	MATHIS, LINDAS 855 S 74TH TERR KANSAS CITY KS	MOLES, KEVIN L 531.80 1047 S 74TH TER KANSAS CITY NO
GREGG, JACK 597. AMERICAN EAGLE INVESTMENT PO BOX 11125	HINES, PATRICIA A 95.94 SA40 STATE AVE LOT 100 KANSAS CITY KS	PO BOX 13586 EDWARDSVILLE KS JOHNSON, BARBRA JO 21,38	KANSAS CITY, 4S LEAPER, CHARLES 20.68 5162 KIMBALLAVE	MAYHUGH, PHYLLIS 708 SE 10TH ST BENTONVILLE AH	MOLES, KEVIN L 548.12 1047 S 74TH TER KANSAS CITY KS
KANSAS CITY, KS GREGG, JACK. 529. AMERICAN EAGLE INVESTMENT		4445 SPRINGFIELD ST KANSAS CITY KS JOHNSON, BRANDY 148 20	KANSAS CITY KS LEASE PLAN USA 1105 SANCTUARY PKWY	MC DONALD GRAIN CO 178.98 DBA OLD MC DONALDS PET SUPP 1725 SOUTHWEST BLVD KANSAS CITY KB	MONROE, JACK 83.74 5940 STATE AVE LOT 70 KANSAS CITY, KE
PO BOX 11125 KANSAS EITY KS GRIPPANDO, MICHAEL 52.		6301 STATE AVEL OF 112 KANSAS CITY KS JOHNSON, KENNETH R 363.00	ALPHARITTA DA LEE, RONALD E 20.68 5724 SWARTZ RO	MCADAMS, LARRY W 20.66 4800 DELAVAN AVE KANSAS CITY KS	MONTEZ ALICIA 62.76 MOS SCOTT AVE LOT 5 KANSAS CITY KS
EBERLEY, THERESA L 953 S 73RD PL KANSAS CITY, KS	HMONG MANUFACTURING INC 2,973,46 VANG, HER W 1900 OSAGE AVE KANSAS CITY, KS	8709 NW 83RD TER KANSAS CITY MO JONES, ANTHONTY J 20.68	KANSAS CITY, KS LESHER, JOSHUA P 5705 LOCUST AVE	MCCLANAHAN, MICHAEL L 379.86 1124 SCOTT AVE KANSAS CITY, KS	MOORE, RICHARD H 14.46 HUTCHERSON, TABITHA 4134 N 109TH ST KANSAS CITY KS
GUARDADO, KIMBERLYA 7903 YECKER AVE KANSAS CITY KS GURROLA, URBANO 145:	HOAG, THOMAS D 48.30 5120 PITKIN ST KANSAS CITY KS	4500 GEORGIA AVE KANSAS CITY KS JUDI'S FAMILY BAKERY INC 178.44	KANSAS CHY K8 LEWIS, CHRISTOPHER D JR 88.48 6124 BARTON AVI	MCCLOUD, SAM 52.20 5940 STATE AVE LIDT#74 KANSAS CITY NS	MORALES, MIGUEL A 122 50 MORALES, RUTH I 6500 KANSAN AVE LOT 3
69 LILAC LN HONNER SPRINGE KS GUTTERREZ SAUL 157.1	HOBBS, DAVID L 20.68 30484 SKYVIEW DR EDWARDS, MO	HOOG PARALLEL PRIVATE TO THE TOTAL RANGE CITY REMAINS ANCE FESTIVAL	SHAWNEE, KB LIPE, LEORY 5940 STATE AVE LDT 45	MCFARLAND, JARED 80.02 CUTLIP, MONICA 715 27TH 6T	MORROW & SONS BALVGE & HAUL. 279,74
6020 KANSAS AVELOT 24 KANSAS CITY, KS HALBIN, CINDY J 185.3	HOFFMAN, PHILLIPS 4.24 5649 OLIVERS ST KANSAS CITY RS	CORP 1,720.44 628 N 1261H 5T BONNER SPRGS KS	KANSAS GITY, KB LIQUOR LAND LLC % MORRIS SANDERS 4.26	MCSON K5 MCGAHEE RONNIE G 712.76 PO BOX 52	% LEWIS C MORROW 1828 TENNYSON 6T KANSAS CITY KS
CURRAN, PHILLIP 849 S 74TH TER KANSAS CITY, KS	HOLTS BARBER SHOP 25.22 1840 N 29TH ST KANSAS CITY, KS	KANSAS FUNERAL GROUP LLC 165.86. 703 N 107H ST KANSAS CITY, KS KAW VALLEY COMPANIES INC. 865.65	1416 N 107H STREET KANSAS CITY, KS LITTLE, DENNIS R 20.68	MCGAUGH, JUDY J 351.26 P O BOX 13464	MORTELL, ROY (ROBERT) 270.86 MORTELL, MIKALA 130 S 82ND ST KANSAS CITY, KS
HALE, STEVEN E 12.1 HALE, KEETON L 430 N 515T TEXT KANSAS CITY KE	5 HOPPER, WAYNE D 161.78 PO BOX 13021 EDWAYDSVILLE KS	S600 KANSAS KANSAS CITY, KS	535 W RUSTIC OAK LN ROCKPORT TX LLOYD, SCOTT 18.00	EDWARDSVILLE RS MCKAY, DONALD R 40.42 901 S 130TH ST	MOTS, ANTHONY 20 68 24 5 74TH ST KANSAS CITY KS
HALL, RICKEY E 787.2 20047 LONESOME RD ELDRIDGE, MO	3 HOUGH AARON 2,117.32 1717 MARTY AVE KANSAS CITY, KS	KAW VALLEY MATERIALS LLC 150.36 5000 KANEAS AVENUE KANSAS CITY, KS KAW VALLEY SAND & GRYL 1,418.90	LLOYD, ROBYN 3610 N 1077H BT KANSAS CITY, KS LOPEZ, CARLOS A 24.24	BONNER SPRINGS KS MCKEEHAN, MICHELLE 113.56 503 5 60TH DR	MOTT, DAN 49 30 MOTT, JUDITH 7740 BENSON ST
HAMILTON, ANTHONY K. 60.7 2515 N 57TH ST KANSAS CITY KS	KANSAS CITY KS	5000 KANBAS AVENUE KANSAS CITY KS KAW VALLEY SAND & GRYL INC	PO BOX 19141 LENEXA KS	MCKENNA, GLEN J 320,78 MCKENNA, ANGELA R 18073 1967H ST	OVERLAND PARK KE. MS R'S CAFE 87 08 14 RUTH SCOVER 720 GUNDARG BLVD
HANLON CHEMICAL GO INC 4,270.1 P.O. BOX 5095 KANSAS CITY, KS.	KANSAS CITY KS	11.254.68 5600 KANSAS AVE KANSAS CITY KS	5940 STATE AVE LOT LOT 57 KANSAS CITY, KS LOPEZ, PHILIP J 22.46	BASEHOR KS MCKIBBON JEWELERS 2.77 13030 KANSAS AV	KANSAS CITY KS MURGUIA-RODRIGUEZ, PASCUAL 140.18
HANNER, JENNIFER 306,1 HANNER, DARREN 7441 EDGENULL AVE	HOWARD, JOHN 840.78 JONES, CHRISTA 970.9 74TH-ST KANSAS CITY, 45	KAW VALLEY SAND & GRVL INC 9,987.86 5600 KANSAS AVE KANSAS CITY KS	5410 CLARK ST KANSAS CITY KS LOVE, DANA 72.58	BONNER SPRINGS KS MCMECHAN, RHONDA 511.73 SANCHEZ, EUU	261 S FERREE ST KANSAS CITY KS MURPHY, SHANNON 297.28
KANSAS CITICIKS HANSON, VIRGIL D 7105 FARROWAVE	HOWARD, WILLIAM 18 40	KAW VALLEY SAND & GRVL ING 5.544.28 SOO KANBAS AVE	COX DARLA G301 STATE AVE LOT 113 KANSAS CITY KS	35 ASHWOOD LN DONNER SPRINGER, KA MCNALLY, PETE: 93.68	TITS OSAGE KANSAS CITY KS MUZQUIZ, WILLIAM JR 14.46
KANSAS CITY KS		KANSAS CITY KS		PO BOX 11308 KANSAS CITY KE	29612 ZENITHLN EDWARDS MO

2016 DELINQUENT TAKES OWED = \$27,618.08

OFFICIAL Publication for Wyandotte County

The Hyandotte Echo

Volume LXX

Price 25 Cents

Number 42

Insurance Consumer alert:

Insurance Department Provides Assistance For Medicare-Type Questions, Fraud

enrollment period always brings a number of questions to the Kansas Insurance Department, according to Ken Selzer, CPA, Kansas Commissioner of Insurance.

However, only Medicare Supplemental/ Medigap insurance plans fall under the Kansas Insurance Department's jurisdiction, and those can be purchased any time during the year, Com-

The Medicare open missioner Selzer said.

"We are able to direct many questions about Medicare Part D prescription drug coverage, Medicare Advantage and Medicare Parts A &B to the appropriate agencies," said Commissioner Selzer, "but consumers need to know that those plans are not regulated by KID. Questions about those programs need to be answered by experts in other places.

save Kansans time and possible frustration."

Medicare open enrollment for Medicare Part D and Medicare Advantage plans begins October 15 and ends December 7, 2017. Below are the contacts for particular Medicare-type plans:

Medicare Supplement/Medigap plans Kansas Insurance Department's Consumer Assistance Hotline-1-800-432-2484.

Calling them first will or the online chat ing Medicare-eligible service on the department's website, www. ksinsurance.org.

Medicare Part D/ Medicare Prescription Drug coverage - Senior Health Insurance Counseling for Kansas (SHICK) state help line, 1-800-860-5260; the federal Centers for Medicare and Medicaid Services, 1-800-MEDI-CARE (1-800-633-4227); or go to www. medicare.gov.

Medicare Advantage coverage (Part C) - Senior Health Insurance Counseling for Kansas (SHICK) state helpline. 1-800-860-5260; the federal Centers for Medicare and Medicaid Services, 1-800-MEDI-CARE (1-800-633-4227); or go online to www.medicare.gov.

Medicare Parts A & B - Senior Health Insurance Counseling for Kansas (SHICK) state help line, 1-800-860-5260; the federal Centers for Medicare and Medicaid Services. 1-800-MEDICARE (1-800-633-4227); or go online to www.medicare.gov (signup is actually through your local Social Security office).

Tips to avoid Medicare scams

As part of the Kansas Insurance Department's mission to assist consumers, Commissioner Selzer offers these tips for protectseniors from scam artists intent on taking advantage of open enrollment:

. Beware of doorto-door salespeople. Agents cannot solicit business for either Medicare Part D or Medicare Advantage Plans at your home without an appointment (this does not apply to Medicare Supplement plans). Do not let uninvited agents into your home. Also, Medicare has no official sales representatives

· Check with us at the Kansas Insurance Department (KID) to make sure the salesperson is a licensed agent. Call 800-432-2484 to speak with a Consumer Assistance representative.

· Realize no marketing is allowed in educational or care settings. Federal regulations prohibit the marketing of Medicare products in places where health care is delivered, or at an educational event.

· Understand that no free lunches are allowed, either. Federal regulations prohibit offers of free meals for listening to a sales presentation for a Medicare product or for signing up for a particular plan.

· Do not give out personal information. such as Social Security numbers, bank account numbers or credit card numbers to anyone not verified as a licensed agent. Also, you must receive a bill as the beneficiary; no Internet or phone payments can be made.

· Verify that the Medicare plan chosen is an approved Medicare plan. All of the approved plans are available at www. medicare.gov under the "Finding Plans" section, or by calling 800-MEDICARE (800-633-4227).

"Educating yourselves is very important in getting questions answered and fighting potential fraud," Commissioner Selzer said.

The Kansas Insurance Department, established in 1871, assists and educates consumers, regulates and reviews companies, and licenses agents selling insurance products in the state. More about the department is online at www.ksinsurance. org or at www.facebook.com/kansasinsurancedepartment.

Notices, Billing and Subscription Information

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The Echo will make every effort possible to accommodate late notices. To venty the date of first publication for a late notice, please call our scheduling line at (913) 724-3444. For all other matters call (913) 342-2444

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PAYROLL SPECIALIST WANTED

Must have at least two years' experience in preparing payroll and processing payroll returns. Also, experience with Excel, Microsoft Word and accounting functions. Salary commensurate with experience. Please email resume to cgordon931@aol.com

LEGAL NOTICE

LEGAL NOTICE

PUBLIC NOTICE

2016 Wyandotte County Delinquent Personal Property Tax List

Unified Government of Wyandotte County, Kansas City, Kansas Deborah Pack Director of Revenue/Treasury

(Additional copies of this list are available at the Treasurer's Office at the Court House and Annex.)

EXAMPLE

Name

Taxes Due

Address Information

A & A INDUST DISTRIBUTORS LL % EMMA SELECTMAN 1147 STATE AVE KANSAS CITY ICS	C 18.24	ANDERSON, TIFFANY 831 S 74TH PL KANSAS CITY KS	160.70
A M B ACCOUNTING & TAX SERV 8040 PARALLEL PKWY STE 25 KANEAS CITY, KS		APOLLO TRANSMISSION SERVICE INC 5050 STATE AVE KANSAS CITY, KS	1,290 38
AWSLLC	1.007.50	ARAMARK REFRESHMENT SE	RVICES
STEPHAN, CRAIG G 601 E FRONT ST BONNER SPRINGS, KS		13772 SHÖRELINI DR EARTH CITY, MO	246.60
ABELS, STEPHEN 7312 CLARK ST KANSAS CITY, KS	437.50	ARITA, FRANCISCO E 3247 WEBSTER AVE KANSAS CITY, KS	60.12
AEROPOSTALE ING #772 TAX DEPARTMENT 125 CHURB AVE FLS LYNDHURST, NJ	1.022.14	ASH, TERRY L 331 CORNELL AVE BONNETI SPRINGS, K5	36.02
AGNEW, DONNA L TURNER, PATRICIA M 5004 ARGENTINE BLVD	318.22	ATKINS, RICHARD S III 3453 N 77TH ST. KANSAS CITY, KS	184.50
KANSAS CITY, KS	273.38	AUTO DOCTOR 5500 LEAVENWORTH RD KANSAS CITY, KS	505.68
5940 STATE AVE LOT 90 KANSAS CITY, KS	273.30	AVILA, JUAN	80.40
ALEXANDER, STEPHANIE 5 3274 N 851H PL	81.50	1037 S INTH ST KANSAS CITY, KS	
KANSAS CITY, KS	3,482.42	AVILA-HUERTO, OSCAR 1419 N 24TH 5T	428.83
ALL FREIGHT SYSTEMS INC 1134 5 12TH ST #ANSAS CITY KS	3,482.42	KANSAS CITY, KS. AYALA MENBRENO, JOSE B	24.00
ALLEN, DARREN S 10005 W 501H TER	60.68	KANSAS CITY KS	
MERRIAM, KS		5940 STATE AVE LOT 79	175.64
ALONSO-MENDEZ, JOSE L 857 OHIO AVE	90,96	KANSAS CITY, KS	
KANSAS G/TY, KG ALPHA-OMEGA GEOTECH INC	22	BAKER, GERALDINE PO BOX 135M5 EDWARDSVILLE, KS	987.22
1701 STATE AVE KANSAS CITY #S		BALES, KAREN L BALES, LARRY D	217.01
ALVARADO, PEDRO AUCENSIO 7434 EDGEHILL AVE KANSAS CITY #3	370.82	953 S 75TH 5T KANSAS GITY, KS	
AMERICAN AUTO CREDIT INC 3502 COUNTY UNE RD KANSAS CITY, KS	34.12	BARINGER, MINDY 2102 & 20734 ST KANSAS CITY, KS	36 68
AMERICAN EAGLE INVESTMENT PO BOX 11125	S 356.64	BARRO, JAMES W 1275 SCOTT AVE KANSAS CITY, KS	34 65
AMES, ALEX 45 N 77TH 5T	изм	BARROW, VICKY B 1501 E SALISBURY RD INDEPENDENCE MO	35,66
KANSAS CITY KS- ANDERSON, LUTHER C PO BOX 2292 KANSAS CITY, KS-	54 60	BASHAM, MICHELLE RICE, BENJAMIN 6500 KANSAS AVE LOT 63 KANSAS CITY, KS	267.90
ANDERSON, MARCUS 263 WOODEND RD BONNER SHRINGE KS	114.58	BASLER COURTNEY 111 LAKE FOREST DR BONNEH SIMONGS KS	681.82

1	LEGAL NOTIC	E.	LEGAL NOTICE		LEGAL NOTIC	E	LEGAL NOTIC	
	BATES, RAYMOND 505 HILLCREST RD E. LAKE QUIVIRA, KS	102.08	BROWN, MARK 125 LAKESHORE DR S LAKE QUIVIRA, KS	175.22	7320 CLARK ST KANSAS CITY, KS	77.26	DEGRAEVE, JEROME P O BOX 13163 EDWARDSVILLE, KS	89.70
	BATES-FULLER, MELINDA 945 5 80TH 8T KANSAS CITY KS	568.04	BROWN, VICTORIA L 7501 ASPEN KANSAS CITY, KS	234.84	COCHRAN, JODI COCHRAN, JASON JR. 8821 STATE AVI	61.06	DIAZ, VICTOR 44 SOUTHWEST DR BONNER STRINGS, KS	242.20
	BAUGHMAN, CHARLES E 6020 KANSAS AVE 1:07:20 KANSAS CITY, KS	127.00	BUCKNER, TERESA A PO BOX 13887 EDWARDSVILLE, KS	443.40	COLE, ZANE D 3720 N 67TH ST KANSAS CITY KS	36.74	DIVERSE ADVISORY GROUP LU MANAGEMENT CO 10801 KAW DR # C4 EDWARDSVILLE, KS	DRAJDC 544.14
	BAYLIFF, CARLENA J 6500 STATE AVE KANSAS CITY KS	446.34	BUDGET AUTO PARTS II 941 B 26TH BT KANSAS CITY KS	322.93	COLEMAN, PHILLIP SR: SR LILAC LN BONNER SPRINGS, KS	297.58	DOBBINS, AMILER 6301 STATE AVE LOT 109 KANSAS CITY, KS	164.61
	BEACH, LAUREN 536 S 78TH ST KANSAS CITY, KS	329.94	BURKHOLDER DANIEL E 3000 N 73RD ST KANSAS CITY, KS	36.68	CONTRERAS, RICARDO 6500 KANSAS AVE LDT 75	327.68	DONNELLY, YVONDA E 6040 KANSAS AVE LOT 3	144.74
	BEACH, RON P BEACH, THERESSA L P O BOX 13675	81.76	BURRIS, MARGE 6017 A KANSAS AVE CIR KANSAS CITY, KS	18.47	COOK, JOHNNIE 1827 HOMER AVE APT B	144,86	DOREN, DAVID #0 TRACY DR	210.68
	BEACH, TAMMY 6500 KANSAS AVE LOT 53	70.52	BUSH, CAITUN 6001 STATE AVE LUT 83 KANSAS EITY, KS	80 86	COOL, BRANT D COOL, HEATHER L	426.16	DOUGHTY, DANIEL J 4906 PARKYIEW AVE	75.84
	KANSAS CITY, KS BEARD, DAVID BEARD, IRENE	516.67	BUTLER, ERIC J 5014 OHBIĞ RD KANSAS ÇITY, KS	350.69	7502 BUTTONWOOD ST KANSAS CITY, KS CORDERO, ANTONIO G	30.44	DOUGLAS, JESSICA 6301 STATE AVE LOT 125	327,58
	964 S 73RD NY KANSAS CITY, KS		BYWATER JEFF 6500 KANSAS AVE LOT 27	275.24	S001 ALMA ST KANSAS CITY KS		KANSAS CITY KS DOUGLAS, JESSICA	238.32
	BEASLEY, MICHAEL 1608 N 63RD TER KANSAS CITY, KS	37.66	KANSAS CITY, KS CABRINI, TRIPP 4751 WOOD AVE	423.08	1812 N 75TH DR KANSAS CITY, KS	47.64	6500 KANSAS AVE LOT 119 KANSAS CITY, KS DOWNES, KIMBERLEY M	86.16
	BEE, EDWARD L 265 JOLIET RD VALPARAISO IN	108.62	KANSAS CITY, KS CALDERON-TELLO, RAFAEL E 4100 OAPLAND AVE	28.95	COX, ELIZEBETH 6500 KANSAS AVE LOT 86 KANSAS CITY, RB	290.52	DOWNES, RICHARD D 2835 S 45TH TER KANSAS CITY KS	
	SPAD STATE AVE (D1 44) KANSAS CITY KS	62.96	KANSAS CITY KS CAMBILARGIU, REGINA	36.28	COX, LLOYD DUNN, TERRI 43 LIJAC LN BONNER SPRINGS, KS	207 44	615 OHIO AVE KANSAS GITY, KIS	369.42
	BELCHER, CHRIS 3132 N 471H 57 KANSAS CITY KS	42.90	ZZZZ VISTA ST KANSAS CITY, KS CAMPBELL, TIM	316.94	CRAWFORD, TREY A	43.12	DOZIER, RUSSELL 933 N 67ND PC KANSAS CITY, KS	31.70
	BELFIELD, JAMES 144 LAKESHORE DR W LAKE QUIVIRA, KS	174.12	6500 KANSAS AVE LOT 69 KANSAS CITY, KS CANTRELL, AMBER	372.70	CRIGGER, KAREN BAIRD, CHARLES	268.38	DUARTE, GUADALUPE ZARING, AMANDA R PO BOX 13323	256.44
	BELL, JUSTIN M 740 S 1007H S1 EDWARDSVILLE KS	117.34	6301 STATE AVE LOT 124 KANSAS CITY, KS CAR SHOES	68.44	7328 PITKIN KANSAS CITY, KS CRISTALDO, MARIÓ M	1,276.66	DUBON, MARIA 5940 STATE AVE LOT 88	173.04
	BENNETT, DONNA PO 80X 13044 EDWARDSVILLE KS	255.24	N CHARLES ARELLAND 760 OBAGE AVENUE KANSAS CITY KS		CRISTALDO, JENNIFER L 17509 EDGEHILI AVE KANSAS CITY, N.S		DUTCH HOLLOW VILLAGE MANUFACTURED HOME	396.94
p	BERRY, JOHN J P O BOX 13076	133.76	CARLOS AUTO 901 CHEYENNE AVE KANSAS CITY, KS	370.16	P 0 BOX 13602 EDWARDSVILLE KS	690 62	SALES 1010 5 74TH TER KANSAS CITY, KS	
4	BESSENT, SAMANTHA R 7250 GIBBS RD	76.78	CARTER CASEY BOHANNAN BRANDY 6301 STATE AVE LOT 125	90 90	CROY, MARY VAN EMAN, MICELLE 811 S S 751H ST	300.72	EDWARDS, DORSEY 1047 QUINDARO BLVD KANSAS DITY, KS	69.32
	KANSAS CITY, KS BETH, JOHN J 5022 ROWLAND AVE	36.63	CARTER FRED 354 N 11TH ST	78.50	CUPP, MICHAEL A 2620 ESPENLAUB LN	36.68	EL CAMINO REAL 903 NORTH 7TH TRWY KANSAS CITY, KS	114.02
	KANSAS CITY KS BLACK, LEE K WEAVER, MELISSA C	39.16	CASAS JEBUS E 3025 5 96TH ST	36.66	CURRY, LISA	182 38	ELECTRONIC FUNDS TRANSFI 6700 SQUIBI RD STE 201 SHAWNEE MISSION, KS	ER 141.32
	TZS4 RIDGE AVE KANSAS CITY KS BLAKEY, KENNETH E	265.06	CASSIDY, BEN 6301 STATE AVE LOT 77	133.10	BONNER SPRINGS, KS. D L WILLIAMS & CO 4834 METROPOLITAN AVE	65.26	FLUOTT, CARL L P O BOX 13591 EDWARDSVILLE, KS	671.76
	20 ROYAL DRIVE KANSAS CITY, KS BLANKENSHIP, LINDA	104.55	KANSAS CITY KS CASTRO ZAMORA, MARIA DEL RIOS VICTOR A	345.44	KANSAS CITY KS. DALES UPHOLSTERY & AUTO 1310 STATE AVE	BDY 39.16	ELLISON, WINSTON E 1606 YECKER AVE KANSAS CITY KS	36.66
	838 S 74TH PL KANSAS CITY, KS		6500 KANSAS AVE LOT # KANSAS CITY, KS		KANSAS CITY, KS DAVENPORT, JAMES 7918 ARMSTRONG AVE	279.12	ENRIGHT, PATRICK 6411 KIMIJALL AVE KANSAS CITY, KS	44.6.52
	7323 OSAGE KANSAS CITY, KS	496.14	CASTRO, JOSE MANUEL 840 N 70TH ST KANSAS CITY, KS	145 92	KANSAS CITY, KS- DAVIDSON, KEVIN	623.14	FARABEE, CHARLOTTE A	473 22
	JACOBS, RALPH 2107 N EIRD LT KANSAS CITY KS	66.34	642 5 715T ST KANSAS CITY, KS	84.58	PO BOX 13079 LDWARDSVILL KS		FAUGHT, JOHN 236 ARAPAHO CIR E	82.44
	BOHN, RICHARD 4086 NEBRASKA DR LINN VALLEY KS	64.32	CERECERES, FRANCISCO GERECERES, FATIMA 7504 SWARTZ RD KANSAS CITY, K5	115.22	DAVIS, CARMEN D 7141 FOREST DR KANSAS CITY, KB	75.37	FERGUSON, JASON PO BOX 13216	1,160.70
	BOHNERT, TERRY L 6500 KANSAS AVE LOT 57 KANSAS CITY, KS	277.14	CHAFFIN. RAYMOND L 1911 N 00TH S1 KANSAS CITY, KS	24.87	DAVIS, DARRYL DAVIS, RUTH 7237 ASPEN UR KANSAS CITY, RS	1,007.08	FERNANDEZ, JORGE A FERNANDEZ, ANA M	81.30
	BOND, TERRY 1922 MATNEY AVE	115.70	CHANDARA, LILLIAN P 2231 N 857H ST	76.00	DAVIS, DERIC 4000 N 107TH TER KANSAS CITY, KD	215.24	S127 EDITH AVI KANSAS CITY, NS FERNANDEZ, OSVALDO	471.91
	KANSAS CITY, KS BOUNDS EXTERMINATORS 1738 SOUTHWEST BLVD	38 62	CHANEY, ROBERT G JR 1718 3 23RD 5T	305.68	DAMS, SEAN 2407 N BYST ST	110.70	330 N 13TH ST KANSAS CITY, NS	
	BOUNXOB, BORISOUTH 5034 GARLIELD AVE	105.00	CHAPPARO-FERNANDEZ, CECIL 305 S BALTIMORE ST	JA 131.10	DAVIS, SEAN 2407 N B1ST S1	265 92	FIRED UP INC DBA JOHNNY CARINO'S WIGE, PO BOX 671287 DALLAS, TX	2.233 EJ % RYAN
	KANSAS CITY, KS BOYER, BETH 7313 OSAGE AVE	165.60	KANSAS CITY, KS CHAVEZ, FRANCISCO 3506 RUBY AVE	113,64	DEAN, CHANTE PO BOX 13664	195.16	FLORES-CARRILLO, AVRELIO 814 S 751H STREET KANSAS CITY, KS	383.44
,	RANSAS CITY, KS BRESHEARS, BRYAN K 8427 SANDUSKY AVI	90,06	KANSAS CITY, KS CHERRY TREE ENTERPRISES 1620 S 45TH STREET	787,42	DEASON, JAMES C 407 S 715T ST	66.62	FLUEGGE, BENJAMIN R 316 S R7ND ST KANSAS CITY, KS	165.90
	KANSAS CITY, KS. BROWN, JEFF T. 1115 SHAWNEE AVE.	4614	KANSAS CITY, K5 CHILBON, JAMES E 1916 N BURD TER	36.64	KANSAS CITY, KB DEBELLA, JOSEPH A GOOT STATE AVE LOT 46	77.30	FOSTER, NEFATERIA K 2029 N E7TH ST KANSAS CITY #5	36,68
	KANSAS CITY, KE		KANSAS CITY KS		KANSAS CITY KS		Control of the Contro	

Thursday, October 19, 2017

A STATE OF THE PROPERTY.		THE AT MOVELEY	1	LEGAL NOTICE	35,75.39	LEGAL NOTICE	Ε.	LEGAL NOTICE		LEGAL NOTICE	E
LEGAL NOTICE FRAZIER, SHAWN M 3439 N 56TH TER	43.12	AMERICAN EAGLE INVESTMENT	33.22	GREGG, JACK AMERICAN EAGLE INVESTMENT	139.58	HENDRICKS, THOMAS L 5325 DOUGLAS AVE KANSAS CITY KS	26.34	IBANEZ-MUNOZ, TOMAS 5940 STATE AVE LOT 25 KANSAS CITY KS	99.92	K E S CLEANING 3904 N 111TH ST KANSAS CITY, KS	45.08
KANSAS CITY, KS FREEMAN, DENNIS W 2905 ESPENLAUB LA	19.70		63.18	PO BOX 11125 KANSAS CITY: K5 GREGG, JACK	269.08	HER, LEE 4000 GREELEY AVE KANSASI CITY KS	46 38	IBARRA, MARIO 1202 OSAGE AVE MANSAS CITY AS	114.05	KANSAS FUNERAL GROUP LLC 703 N 107H 5T KANSAS CITY AS	139.22
KANSAS CITY, KS FREEMAN, NEIL 231 SHADYSIDE AVU	28.99	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS GITY, KIS		AMERICAN EAGLE INVESTMENT FO BOX 11129 KANSAS CITY, KS		HERDMAN, RICHARD HERDMAN, RHONDA	53.90	IBARRA, RODOLFO 1202 GSAGE AV	36.74	KAW VALLEY MATERIALS LLC 5000 KANSAS AVENUE KANSAS CITY, KS	1.761 54
BONNER BPRINGS, KN FRYE, BRETT	399.26	AMERICAN EAGLE INVESTMENT PO BOX 11125	25.60	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125	284.04	250 M 1101H ST EDWARDSVILLE, KS HERNANDEZ, ANTONIO	211.30	KANSAS CITY, AS INGALLS, JOSEPH T 1133 S 75TH ST	262.96	KAW VALLEY SAND & GRVL 5600 KANSAS AVENUE	1,440.60
KIRK, JENNIFER 6500 KANSAS AVE LOT 103 KANSAS CITY, KS		KANSAS CITY, KS GREGG, JACK AMERICAN EAGLE INVESTMENT	90.04	KANSAS CITY, KS: GREGG, JACK AMERICAN EAGLE INVESTMENT	173.98	REYES, MARIA 8500 KANBAB AVE LOT 26 KANSAS CITY KS	200	KANSAS CITY, KS INTELLITHINK LLC NPATRICK SHORE	25.95	KANSAS CITY, KS KAW VALLEY SAND & GRVL INC S600 KANSAS AVE	11,376.6
GALLARDO, ONDINA 8500 KANSAS AVE LOT 96 KANSAS CITY, KS	636.22	PO BOX 11125 KANSAS CITY KS GREGG, JACK	97.74	PO BOX 11125 KANSAS CITY, KS GREGG, JACK	246.70	HERNANDEZ CECILIA 5940 STATE AVE LOT 37 KANSAS CITY KS	72.08	3418 N 109TH TER KANSAS CITY KS		KANSAS CITY, KS KAW VALLEY SAND & GRVL INC	6,891.4
GAMAS, YBETH GAMAS, IVETTE 7310 CLARK ST	300.98	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS		AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	57617	HERNANDEZ, GABROEL 2501 N 49TH TER KANSAS CITY, KS	141.68	P.O. BOX 171037 KANSAS CITY, KS	3,292,10	SECO KANSAS AVE KANSAS CITY, KS KAW VALLEY SAND & GRYL INC	55.9
GARCIA, MIGUEL 77 ASHWOOD LANE	270.11	AMERICAN EAGLE INVESTMENT PO BOX 11125	178.14	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125	518,74	HERNANDEZ, ISRAEL 6301 STATE AVE LOT 135 KANSAS CITY, KS	282.44	J OLIVER CONSTRUCTION LLC 3408 POMEROY DR KANSAS CITY KS		KANSAS CITY, KS KANSAS CITY, KS KAW VALLEY BAND & GRVL INC	C 5,462.7
GARDNER SPRINGS, KIS GARDNER, JEFF 1940 STATE AVE LOT IS	9.8	AMERICAN EAGLE INVESTMENT	526.62	GREGG, JACK AMERICAN EAGLE INVESTMENT	110.58	HERNANDEZ, JORGE I 6001 ALBERVAN ST SHAWNEE, KS	36.64	JACK COOPER TRANSPORT CO 732.78 1100 WALNUT ST STI 2400 KANSAS CITY MO	INC	KANSAS CITY, KS KAW VALLEY WRECKING, LLC	628.8
KANSAS CITY KS GARRISON, RUSSELL 19505 SHANKS RD	828.48	PO BOX 11125 KANSAS CITY KS GREGG, JACK 2	208.54	PO BOX 11125 KANSAS C/TY, K5- GREGO, JACK	488.78	HERNANDEZ, JOSE L HERNANDEZ, ANTONIO	50.74	JACKSON SERVICE CENTER 10635 KAW DRIVE EDWARDSVILLE KS	1,420.78	5600 KANSAS AVE KANSAS CITY KS KAW VIEW MOBILE HOME PARK	
HOLT MO GERVAIS, CORINNE J 6500 KANSAS AVE LOT ST	94.05	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS		AMERICAN EAGLE INVESTMENT PO BOX 11128 KANSAS CITY, KS		2501 N A9TH TER KANSAS CITY, KS HERNANDEZ, LUIS	36.68	JAKOBE FURNITURE LLC 450 S 55TH ST	772.76	PO BOX 11308 KANSAS CITY, KS	
KANBAS CITY, KS CHRBON, SPENCER T	241.02	AMERICAN EAGLE INVESTMENT PO BOX 11125	530.12	GRIGGS, BAMANTHA 5211 HADLEY ST APT 1 OVERLAND PARK KS	554.98	HERNANDEZ, MARTIN 348 & FERREE ST KANBAS CITY, KS		KANSAS GITY KS JAMES, RAYMOND G 2424 5 63RD TER	44.74	S101 PITKIN AVE KANSAS CITY, KS	42.9
5122 FREEMAN AVE KANBAS CITY KS GILBERT CARLA J	600.44	GREGG, JACK AMERICAN EAGLE INVESTMENT	403.10	GREGGS, SAMANTHÁ 5211 HADLEY ST APT T OVERLAND PARK, 65	100.48	HERNANDEZ, MADRID M 5050 CREST DR KANSAS CITY, KS	38.02	KANSAS CITY KS JAQUEZ-RODRIGUEZ EFRAIN VILLAREAL PERLA	63.16	KELLY, THOMAS II 5030 ALMA AVI KANSAS CITY KS	902.0
PO BOX 13802 EDWARDSVILLE, KS. GILLAND, MICHAEL D	113.46	PO BOX 11125 KANSAS CITY AS GREGG, JACK 3	315.36	GROHUSKY, BRENDAN F 1023 S 74TH TERR KANSAS GITY, KS	363.63	HERRA, MARTHA 43 SOUTHWEST DR BONNER SPRINGS, KS	480.40	55 LILAC LN BONNER SPRINGS K5 JAQUEZ-RODRIGUEZ, EFRAIN		KELLY, WILLIAM 6357 ROWLAND AVI KANSAS CITY, KS	61.9
PO BOX 13147 CDWARDSVILLE KS		AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS		GUILLEN, DAVID A. 5343 HAZEN AVE	73.14	HICKS, JOHN 5437 MIAMLAVE KANSAS CITY, KS	61.08	VILLAREAL, PERLA 55 LILAG LN BONNER SPRINGS, KG	263.82	KENNEY, JOSHUA 230 E 30TH 5T APT 101 KANSAS CITY, MO	79.1
GILLIAND, RUSSELL W HIGHBERGER, GREGORY 1603 W 21ST TER LAWRENCE KB	16.10	AMERICAN EAGLE INVESTMENT PO BOX 11125	282.46	KANSAS CITY KS. GUITERREZ-RENTER, LESAKAY 6500 KANSAS AVE 101 59	187.30	HINTON, JOHN W 7009 EDITH AVE KANSAS CITY, KS	45.30	JORAM LLC 10651 KAW DR STE 400 LDWARDSVILLE KS	66.70	KENNY, BILL JOURDAN, SHARRON 12505 CRAIG AVE	ADZ 6
GILMORE, JASON 5735 LAKECREST DR SHAWNEE KS	39 86	AMERICAN EAGLE INVESTMENT	284.48	GURROLA, URITAND 69 LILAG LN	189.92	MINTON, JONATHON 966 S 73RD TER KANSAS CITY KS	260.74	AMENEZ, CESAR L 5543 CLARK ST KANSAS CITY KS	16.68	GRANOVIEW, MO KOELY, JEFF P 0 BOX 19616	204.3
GO CAPITAL LEASING COMPAN TERRAFIRMA TRANSPORTATION 6739 COLLEGE AVE KANSAS CITY, MO		PO BOX 11125 KANSAS CITY XS GREGG, JACK AMERICAN EAGLE INVESTMENT	112.12	BONNER SPRINGS, KS GUTIERREZ, ANGELA GASCA, RODOLFO 853 S 74TH PLACE	110.70	HMC ENTERPRISES CORP MMICHELLE FRANKS-SMITH PO BOX 2088 KANSAS CITY KS	42.84	JIMENEZ-RODRIGUEZ, HILDA PO BOX 13586 EDWARDSVILLE, KS	63,16	EDWAROSVILLE_KS KIRSCHBAUM, EDWIN ROBERT 1836 N 66TH ST KANSAS CITY, KS	285.1
GOBEN, KATHRYN S PO BOX 13518 FOWARDSVILLE KS	583.70	PO BOX 11125 KANSAS CITY KS GREGG, JACK 3	166.94	KANSAS CITY, KS HACKNEY, ELDRIDGE 4031 SPRINGFILLD ST	59.00	HMONG MANUFACTURING INC VANG, HER W 1000 CISAGE AVE	3,023 50	JOHNSON, BARBRA JO 4445 SPRINGFIELD ST KANSAS CITY KS	37.66	KLINE, IRIS J PO BOX 13605 EDWARDSVILLERS	599.1
GONZALES ACEVES, JORGE CONSTANCIO ROSAS, YESENIA 8000 RANSAS AVE 107 122 KANSAS CITY KS	274.40	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	528.42	HADEN, J.C. BEGLONISHOOD AVE KANSAS OFF RS	167.58	HOBBS, DAVID L BYZE CORONA AVE KANSAS CITY KS	38.60	JOHNSON, BRANDY 6001 STATE AVE LOT 412 KANSAS CITY, KS JOHNSON, DAN W	456.04	KNAUS, GARRETT KNAUS, BLAINE PG DOX 13943	975,6
GONZALEZ-GUITERREZ, FEL JESUS 27 TRACY DR	JPE DE 209,12	AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS		HAMILTON, ANTHONY K 2515 N 57TH 51 KANSAS CITY, KS	77.66	HOBBS, MICHAEL 1007 S 75TH TERR KANSAS CITY, KS	19.87	JOHNSON, SUSAN E 10225 SWARTZ RD EDWARDSVILLE, KS	113.80	KNIGHT, SCOTT 413 NEWTON ST EDWARDSVILLE, KS	245.5
BONNER SPRINGS, KS GONZALEZ-SIFUENTES, MAYRA 976 S 73RD ST	529.83	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	170.26	HARE, CRYSTAL A WEST, JOSHUA K 2408 S 181H ST	147.52	HODGES, JOSEPH B3 LILAC LN BONNER SPRINGS, KS	242.10	JOHNSON, FRANK E JOHNSON, BARBARA A 14000 GIBBS RD BONNER SPRINGS, KS	36.02	KOEHLER CONSTRUCTION CO % WILLMAR E KOEHLER 1044 OSAGE	505.1
KANSAS CITY KS GOODALL, WILLIAM E PO BOX 13444 FDWARDSVILLE KB	298.92	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 111/25 KANSAS DITY, MS	147,72	KANSAS CITY, NS HARP, JEAN 10 ASHWOOD LA BONNER SPRINGS KB	375,10	HOLM, JO 45 TRACY DR BONNER SPRINGS AS	117.74	JOHNSON, JOSEPH L JOHNSON, PATRICIA BEIS SLATER ST OVERLAND PARK MS	620.34	KANSAS CITY, KS KOLES, MARVIN 25009 W 961H LN UNIT TOG LENUXA KS	54.5
GOUDY-KRIPPS, PAM 17 SOUTH-MEST DRIVE HONNER SPRINGS, KB	269.34		26.00	HAWKINS, ANDREW J 4320 MISSION RD APT 9 KANSAS CITY, RS	91.76	HOLM, TERRY J 45 TRACY OR BONNER SPRINGS, K5	30.44	JOHNSON, KENNETH R 8709 NW 83RD TER KANSAS CITY, MO	344.54	KORDONOWY, RUSSELL 5878 GREENPILLD DR RAPID GITY, 5D	140.6
GRAM, LORETTA 5940 STATE AVE LOT 53 KANSAS CITY, NS	64.32	KANSAS CITY, K5	101.30	HAYTTE, CLARENCE E 5600 CREST DR KANSAS CITY, KS	36.68	HOLTS BARBER SHOP 1840 N 29TH ST KANSAS CITY, KS	44.42	JOHNSON, WAYNE C JOHNSON, CORY WAYNE 3234 WEBSTER	31.06	LABOR PROS LLG 2208 W 39TH AVENUE KANSAS CITY, KS	175.4
GRANADOS-RODRIGUEZ, DANIE 6500 KANSAS AVE LOT 71 KANSAS CITY KS	LAHIET	PO BOX 11125 KANSAS CITY, KS		HEARD, ANTWAIN D 1409 DELAWARE RIDGE PL	81.84	HONDERICK, EDWINA E 5600 OSAGE AVE KANSAS CITY, KS	44.32	KANSAS CITY, KS JONES, ANTHONTY J 4500 GEORGIA AVE	36.68	LACY, HEIDI RAINES, MARK 40 LILAG LN	364.1
GRAVATT, MICHAEL R 4905 N 123RD ST	929.64	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS	119.70	KANSAS CITY, KS HEARD, KENNON G HEARD, VARONIA	34.56	HOPPER, WAYNE D PO BOX 13021 EDWARDSVILLE, KS	164.28	KANSAS CITY, KS JONES, CODY S	30.44	BONNER SPRINGS, KS LAFFERTY, SHERI N	411.4
HANSAS GITY KS HAY, VICTORIA A 1009 S 74TH ST	173.04	GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125	63.06	KANSAS CITY, AS	48.06	HOUGHAM, PAMELA 1101 S.75TH TERR KANSAS CITY, KS	419.02	5134 EDITH AVE KANSAS CITY, KS JONES, WILLIE D	18,00	EDWARDSVILLE KE LARA, JOSE	132.10
KANSAS CITY, KS PREGG, JACK IMERICAN EAGLE INVESTMENT	368.94	KANSAS CITY, KS	25.44	SP40 STATE AVE LOT 45- KANSAS CITY, KS HEMERSON, DARYN J	353 66	HUFFMAN, TESSA 67 LILAC BONNER SPG5, KS	95.04	636 N BATH ST KANSAS CITY, KS JONSCHER, GARY L	176.76	302 S BOEKE ST KANSAS CITY, KS LARA, SILVAT	40.76
PO BOX 11125 KANSAS CITY, KS	347.26	PO BOX 11175 KANSAS CITY KS	4172	PO BOX 13774 EDWARDSVILLE KS		HULLETT ALEX 1257 FOREST DR #4 KANSAS CITY, KS	176.46	6810 KAWDR KANSAS CITY, KS JUDYS FAMILY BAKERY INC	135.36	1221 S 37TH ST KANSAS CITY KIII LASITER, BRINDY R	1,445.11
AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY, KS		AMERICAN EAGLE INVESTMENT PO BOX 11125 KANSAS CITY KS	61.78	HEMM, MICHAEL E T216 FOREST DR KANSAS CITY KS	116.90	HUNT, HOWARD C 2310 BENTON BLVD KANSAS CITY MO	73 86	11006 PARALLEL PKWY STI 1 KANSAS CITY, KS JURADO, LUIS ANTONIO		LASITER RITA S 9651 CRESTWOOD DR EDWARDSVILLE KS	
GREGG, JACK AMERICAN EAGLE INVESTMENT PO BOX 11125	191.60	PO BOX 11125	61.00	HENDREN, ERICA L HENDREN, MATTHEWS 2014 MARTINGALL DR NORMAN, OK	46.02	HUNT, JEREMY J 367 N 8161 TER KANSAS CITY, KS	34.68	1718 N 59TH ST KANSAS CITY, KS K C MUFFLER	379.04	LAUGHERY, DONNA L 26 SOUTHWEST BONNER SPRINGS, KS	286 85
KANSAS CITY KIL		KANSAS CITY, KS		HENDRICKS, NATHAN S	643.36	rantona tritt, na	155.64	10339 KAW DRIVE	379.04	LEAPER, CHARLES	36,65

OFFICIAL Publication for Wyandotte County

2015 DELINGUENT TAXES OWED = \$35,437.9

The Myandou Volume LXX THURSDAY, OCTOBER 20, 2016

Don't Text #Just Drive Campaign Benefits All Kansans

By Ken Selzer, CPA, Kansas Commissioner of Insurance

Texting and driving endangers you as a driver and everyone around you. When you take your eyes off the road, the chances of causing a devastating vehicle crash increase dramatically.

It takes an average of three seconds after a driver's mind is taken off the road for any road accident to occur. That's the time it takes to turn on your ignition when starting your vehicle.

Kansans to take a pledge this fall to stop texting and driving by going online to engage. att.com/icwkansas. Taking the pledge there also shows your support and school pride for your favorite participating Kansas university: the University of Kansas, Kansas State University, Fort Hays State University. Wichita State University, Washburn University, Pittsburg State University

I challenge all and Emporia State University. All of them are in a friendly competition to get the most pledges between now and November 22.

Texting 50555 and the appropriate school code (KU, Wildcat, Tiger, Shocker, Ichabod, Gorilla, Hornet) will also send a vote and secure your pledge.

This stop texting and driving eampaign is sponsored by the Kansas Insurance Department, the Kansas Department

of Transportation, The Kansas Turnpike Authority, AT&T, the Kansas Automobile Insurance Plan and several insurance companies operating in Kansas, For more, go online to www. ksinsurance.org/ justdrive.

In taking the pledge. you show dignity for yourself and for

this commitment to improve driver safety in Kansas because It is important for you and your family. Remember the campaign's slogan: "Eyes up, phone off, save lives."

Ken Selzer, CPA, was elected as Kansas Insurance Commissioner in 2014. The Kansas

others. Please make Insurance Department. established 1871, assists and educates consumers, regulates and reviews companies, and licenses agents selling insurance products in the state. More about the department is online at www. ksinsurance.org or at www.facebook.com/

KCKCC Awarded Workforce Aid Training Project

In order to combat the skills gap that some local employers are facing, Kansas City Kansas Community College has been awarded a Workforce Aid Training Project.

Rich Piper, director of the KCKCC-TEC, said the goal of the Preventative Maintenance Inspection (PMI) program is to train individuals in a short amount of time to enter the "transportation career pipeline." After nineweeks of training, the individual will start at \$15 an hour.

The goal is not to keep these individuals at \$15 an hour. The goal is to identify motivated individuals at the entry level position and start training them to be diesel technicians," he said. "The company will pay for the individual's training. Once certified as a 'diesel technician,' an individual can make a self-sustaining wage. An ASE certified Diesel Technician median wage is \$25 an hour."

Piper said the process of bringing the Workforce Aid Training Program to KCKCC started with Greg Kindle and Jay Matlack, with the Wyandotte County Economic Development Council. He said the duo spoke with local trucking companies to identifying a training need, and then moved forward with finding out what funding was available to implement new training programs.

"WYEDC was very good about including KCKCC from the beginning of the conversations with the local trucking companies," Piper said. "The project is good for the college because it shares with the local employers and different workforce organizations the college is responsive to their training needs. It also shows the college is truly a training partner. When a training need is identified the college can respond in a timely and effective manner."

KCKCC instructors teach three courses as part of the training program OSHA 10, workplace skills (essential employability skills/soft skills) and PMI (Preventive Maintenance Inspection). Butler Transportation, Kansas City Freightliner, Peterbilt and Ryder will be participating.

When you are able to work closely with four major companies in the transportation/trucking industry, the name of the college becomes a stronger brand with these training partners," Piper said. "The promotional activities associated with the training have the college's name side by side with Peterbilt, KC Freightliner, Butler Transportation, Ryder, Kansas Department of Commerce and Workforce Partnership. Being associated with these great companies and organizations is a powerful statement to our community."

The fall session has already started, but plans are underway to bring the program back in Spring 2017. For more information on the Workforce Aid Training Program at KCKCC, contact Piper at 913-288-7808 or by email at rpiper@kckcc.edu.

The Wyandotte Ec

Notices, Billing and Subscription Information

Deadlines

For Guaranteed Publication: 10:00 a.m. Friday for publication in the next Thursday's issue.

For Late Notices, Corrections and/or Changes to currently running legals: 10:00 a.m. Monday for publication in that Thursday's

The Echo will make every effort possible to accommodate late notices. To verify the date of first publication for a late notice, please call our scheduling line at (913) 724-3444. For all other matters call (913) 342-2444.

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PUBLIC NOTICE

Wyandotte County - Delinguent Personal Property Tax List

Unified Government of Wyandotte County, Kansas City, Kansas Deborah Pack Director of Revenue/Treasury

(Additional copies of this list are available at the Treasurer's Office at the Court House and Annex.)

EXAMPLE

Name

Taxes Due

Address Information

3 AXIS INC ATTN: ERIK BEIER POHOX 140 KANSAS CITY KS

A & A INDUST DISTRIBUTORS LLC66.90 % EMMA SELECTMAN *ANSAS CITY KS

AMBACCOUNTING & TAX SERV 24.97

8040 FARALLEL PKWY STE 250 KANSAS CITY, KS

AAMCO TRANSMISSIONS 675.08 **CANSAS CITY #5**

ABARCA, JUDY 1102 S 75TH TER KANSAS CITY, KE 19.47

ALDER, MICHAEL

ALEGRE TKO LLC - BONNER

ALEGRE TKO LLC - BONNER 112.92

PO BOX 14009 DALLAS, TX ALEGRE TKO LLC - BONNER 33.67

DALLAS TX

ALEGRE THO LLC - BONNER 33.62 DALLAS TA

ALEGRE THO LLC - BONNER 13:62 DALLAS, TX

ALEGRE THO LLC - BONNER 33.62

ALEGRE THO LLC - BONNER

ALEGRE TKO LLC - BONNER

DALLAS TX

ALEGRE TKO LLC - BONNER 778.52 PO BOX 14009: DALLAS TX

ALEGRE THO LLC - CREEKSIDE 457.94 DALLAS TX

ALEGRE THO LLC - CREEKSIDE 264.74 PO BOX 14009 DALLAS, TX

ALEGRE THO LLC - CREEKSIDE 98.06

ALEGRE THO LLC - CREEKSIDE 868.66

ALEGRE THO LLC - CREEKSIDE 1,012.46

ALEGRE TKO LLC - CREEKSIDE 1.012.46 DALLAS TX

ALEGRE TKO LLC - CREEKSIDE #88.66 DALLAS, TX

ALEGRE TKO LLC - CREEKSIDE 1.188.17 PO BOX 140 DALLAS TE

ALEGRE TKO LLC - QUIVIRA 195.20
AMERICAN DREAM COMMUNITIESQUIVIRA HILLS LLC
PO BOX 140009

ALEGRE TKO LLC - QUIVIRA 102,80
AMERICAN DREAM COMMUNITIESQUIVIRA HILLS LLC
PO BOX 142699
DALLAS, TX

ALEGRE TKO LLC - QUIVIRA 86.07 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 79.18 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC DALLAS, TX

ALEGRE TKO LLC - QUIVIRA AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 228.26 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO BOX 140099

ALEGRE THO LLC - QUIVIRA 142.63 AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC PO BOX 140099 DALLAS, TX

ALEGRETKO LLG - QUIVIRA 492,36 AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLG

LEGAL NOTICE

ALEGRETKO LLC - QUIVIRA 445.12 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TRO LLC - QUIVIRA 419-50 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO BOX 140099 DALLAS, TX

ALEGRETKO LLC - QUIVIRA 83.12 AMERICAN DREAM COMMUNITIES -QUIVIRA HILLS LLC DALLAS TX

ALEGRETKO LLC - QUIVIRA 865.94
AMERICAN DREAM COMMUNITIESQUIVIRA HILLS LLC
PO BCX 140099

ALEGRETKO LLC - QUIVIRA 255.14 AMERICAN DREAM COMMUNITIES-DUIVIRA HILLS LLC

ALEGRE THO LLC - QUIVIRA 57.77 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

DALLAS TX

ALEGRE TKO LLC - QUIVIRA 283.58 AMERICAN DREAM COMMUNITIES QUIMRA HILLS LLC

DALLAS TX

ALEGRE TKO LLC - QUIVIRA 180 M AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC PO BOX 140099 DALLAS, TX

ALEGRE TKO LLC - QUIVIRA 218.94
AMERICAN DREAM COMMUNITIESQUIVIRA HILLS LLC
PO BOX 140099
DALLAS, TX

ALEGRE TKO LLC - QUIVIRA 230 22 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

DALLAS: TX

ALEGRE THO LLC - QUIVIRA 145 68 AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC

DALLAS TX ALEGRE TKO LLC - QUIVIRA 345.86

AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC

ALEGRE THO LLC + QUIVIRA 121.72 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TKO LLC - DUIVIRA 178.76 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC DALLAS TX

ALEGRE TKO LLC - QUIVIRA 384.46 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

DALLAS TX

ALEGRE TKO LLC - DUIVIRA AMERICAN DREAM COMMUNITIES-

PO HOX 140099 DALLAS TX

ALEGRE TKO LLC - DUIVIRA AMERICAN DREAM COMMUNITIES

PO BOX 140099 DALLAS: TX

ALEGRE TKO LLC - QUIVIRA 342.10 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 124.11 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

PO BOX 140099 DALLAS, TX ALEGRE TKO LLC - QUIVIRA 178.76 AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC

ALEGRE THO LLC - QUIVIRA 436 90 AMERICAN DREAM COMMUNITIES. QUIVIRA HILLS LLC PO BOX 140099 DALLAS, TX

LEGAL NOTICE

ALEGRE TKO LLC - QUIVIRA 562.24 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 286.13 AMERICAN DREAM COMMUNITIES -QUIVIRA HILLS LLC PO BOX 140099 DALLAS TX

ALEGRE TKO LLC - QUIVIRA 288.13 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC DALLAS TX

ALEGRE TKO LLC - QUIVIRA 286.13 AMERICAN DREAM COMMUNITIES DUIMRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 836.50 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO SIGN 140099 DALIAS TX

ALEGRE TKO LLC - QUIVIRA 575.64 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO BOX 140099

DALLAS, TX

ALEGRE THO LLC - QUIVIRA 84.02 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO BOX 140099

DALLAS TX

ALEGRE TKO LLC - QUIVIRA 257.49 AMERICAN DREAM COMMUNITIES DUIMRA HILLS LLC

ALEGRE THO LLC - QUIVIRA 327.64 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC PO BOX 140099

ALEGRE TKO LLC - QUIVIRA 371.78
AMERICAN DREAM COMMUNITIES
QUIVAR AND ALEGORIA

DALLAS, TX

DALLAS, TX

AMERICAN DREAM COMMUNITIES-

QUIVIRA HILLS LLC DALLAS TX

ALEGRE THO LLC - QUIVIRA 928.24 AMERICAN DREAM COMMUNITIES QUIVIRA HILLS LLC

PD BOX 140099 DALLAS TX

10005 W SOTH TER MERRIAM, KS ALLEN, NANCY K 85 65

ALVARADO, JULIAN A 300 N 31ST ST KANSAS CITY, KS

AMERICAN EAGLE INVESTMENTS 367 50

AMERICAN MOTEL MJB MOTELS LLC 4141 S NOLAND RD INDEPENDENCE MD

KANSAS CITY, KS

ANDERSON, LUTHER C 66.33

LEGAL NOTICE ANDERSON, MARCUS

POLLO TRANSMINSION 1,294.60 SERVICE INC 5050 STATE AVE KANSAS CITY R

3247 WEBSTER AVE KANSAS CITY, KN KANSAS CITY NO

AYALA-MENBRENO, JOSE B 3304 WOOD AVE KANSAS CITY, KS

TRUX UNLIMITED PO BOX 5044 KANSAS CITY, KS

BAKER, DENNIS 1940 STATE AVELLOT TO KANSAS CITY, KIS BARINGER, MINDY 2102 S 39TH ST KANSAS CITY, K 38 64

BASHAM, MICHELLE RICE, BENJAMIN 6500 KANSAS AVE LOT 63 KANSAS CITY KS

BASKA, BRADLEY 640.88 P O BOX 13028 LDWARDSVILLE X3

BAUGHMAN, CHAFLES I

KANSAS CITY KS

BEACH, RON P

KANSAS CITY, KI

S132 N 47TH ST KANSAS CITY, KS

MANSAS CITY KIL

BESSENT, SAMANTHA R

KANSAS CITY, KS

2863 PARKVIL A AVE RANSAS CITY KS

BETTS, JOAHN J

BETTS, THOMAS E

MANSAS CITY KIL

BLAKEY, KENNETH E

KANSAS CITY, KII

BODENHAUSEN, LUKE B

1945 ORCHARD ST EDWARDSVILLE × 9

6500 KANSAS AVE LEIT 57 KANSAS CITY, KS

6500 KANSAS AVE LUT 67 KANSAS CITY KE

BOHNERT, TERRY L

BOHNERT, TERRY L

BOND, LEAH 426 N 31ST ST FANAS CITY NO

DENTON, KEVIN M

5940 STATE AVE LOT 16 MANSAS CITY KS

BEACH TAMMY

P Ø BOX 13625 EDWARDSVILLE KIS

6020 KANSAS AVE LOT 20 KANSAS CITY, KB

BEACH, LAUREN 5500 KANSAS AVE LOT 120

1.037.40

29.34

383,36

236.54

224 08

102.40

216.70

1.015 52

68 40

54.82

49.76

302.98

61.33

286.29

269.52

47.38

BASLER, COURTNEY DONNER SPRINGS, KE BATALA PETROLEUM INC 3520 W 75TH ST PRAIRIE VILLAGE KS

BATES, DANIEL J 7504 N.MCKINLE KANSAS CITY M DATES-FULLER, MELINDA

ALEGRE TKO LLC - QUIVIRA 188,17 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE THO LLC - QUIVIRA 1,055.36

ALEGRETKO LLC - QUIVIRA 1,055,36 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC

ALEGRE TKO LLC - QUIVIRA 928.24 AMERICAN DREAM COMMUNITIES-QUIVIRA HILLS LLC DALLAS TX

ALEGRE TKO LLC - QUIVIRA 1,203,72 AMERICAN DREAM COMMUNITIES

ALLEN DARRENS 61.74

4807 N 1747H CE KANSAS CITY KS

KANSAB CITY KS

AMERICAN RAIL MARKETING LLC920.79

ANDERSON, BRITTANY 5940 STATE AVE LOT 55 KANSAS CITY, KS

PO BOX 2292 KANSAS CITY KS

LEGAL NOTICE 112.92 BOYD, MICHAEL 245.20 7215 ASPEN DR BOYER, BETH 7313 OSAGE AVE KANSAS CITY KS 165.32 BRALAND, BETTE BRALAND, RUSSELL 2829 3 461H ST KANSAS CITY KS 162.53 ARITA, FRANCISCO E BRESHEARS, BRYAN K 153.82 KANSAS CITY KS BROWN, JEFF T 41.50 22.31 1115 SHAWNEE AVE KANSAS CITY, KS R & K PAVING/ABPHALT 1 757.11 S940 STATE AVE LUT 37 71.34 KANSAS CITY KS BROWN, NICHOLAS J 544 N BOTH PL KANSAS CITY KS 237.90 175 40

PAGE 2 OF 3

150 16 1031 % 74TH TERM BROWN STEVEN L 12.44 6129 CREST DR KANSAS CITY KS

283.60 7501 ASPEN KANSAS CITY, KS BROWNELL JERAMIE W 75.52 620 5 FERREE ST KANSAS CITY KS 207.16

BUCKNER, TERESA A 315.92 PO BOX 13882 EDWAROSVILLE KS BUDGET AUTO PARTS II 48211 941 S 26TH ST KANSAS CITY, KS

BURNETT, JENNIFER A 178 28 PO BOX 13517 EDWARDSVILLE KS 75.64

BURNS, CHELSEA BURNS, MATTHEW J 9811 DONAHOO R KANSAS CITY, KS BURRIS-DOUGLAS, TRISHA 6500 KANSAS AVE LOT 11 KANSAS CITY, KS

BUTLER, JAMES L 35.54 1911 N 85TH KANSAS CITY, KS BYWATER, JEFF 284.32 6500 KANSAS AVE LOT 27 KANSAS CITY K

CARRINI TRIPP 291.64 4751 WOOD AVE KANSAS CITY, KS CALVARY TEMPLE PENTEGOSTAL CHURCH INC 78.80 7725 KANBAS AVE KANBAS CITY, KS

CAMPBELL, ROY P 217 EMERSON AVE BONNER SPRINGS.

CAMPBELL, TIM 6500 KANSAS AVE LOT 69 KANSAS CITY KS 327.42 CANTRELL, AMBER 219.75 6301 STATE AVE LOT 124 KANSAS CITY KS

CARDENAS-CALDERON, JORGE 221574 KANSAS CITY, KS CARGO, RICHARD E SR 77.42

3220 MONTGALL AVE APT 210 KANSAS CITY MO CARTER, FRED 107.56 354 N 11TH ST KANSAS CITY KS

CATON, KYLE T KANSAS CITY. CAUDLE, MARCUS W

KANSAS CITY KS CHADWICK, KAITLAN M SULLIVAN, GODY J 23420 INTERURBAN RD DEARBORN, MO

CHAPPARO FERNANDEZ, CECILIA 12900 305 B BALTIMORE S' KANSAS CITY KS

CHAVEZ, FRANCISCO 3423 WYANDOI 1E AVE KANSAS CITY, KS 82.10

Thursday, October 20), 2016			THEV	VYAND	OTTE ECHO		THE SECRET AND ESSE	_		age 17
LEGAL NOTIC	E	LEGAL NOTICE		LEGAL NOTICE		LEGAL NOTICE	-	LEGAL NOTICE	_	LEGAL NOTICE	285.40
HOWARD, MICHAEL 45 LILAC LANE BONNER SPGS KS	140.51	K E S CLEANING 3904 N 111TH ST KANSAS CITY, KS	44.38	LAUGHERY, DONNA L 26 SOUTHWEST BONNER SPRINGS, KS	473.76	MAUPIN, CURTIS 444 S 59TH LA KANSAS CITY, KS	158,55	MILLER-MOTT, JOSEPH D PO BOX 13333 EDWARDSVILLE, KS	95.5Q	NORRIS, JESSICA NORRIS, JEFF 6301 STATE AVE LOT 112 KANSAS CITY KS	250.40
HOWELL, CHRISTOPHER E 402 E PARK AVE KANSAS CITY MIT	35.54	KANSAS CITY STEAK COMPANY 100 DSAGE KANSAS CITY, KS	38.65	LAUGHLIN, LORI L 4331 GEORGIA AVE KANSAS CITY KS	39.02	MAX'S KETTLE KORN MMAX & CAROLEE DORSEY 2139 S 377H ST KANEAS CITY, KS	340.80	MILLIGAN, DAVID 14708 S VILLAGE DR DLATHE KS	171.48	NOVOGRADIC, JOE NOVOGRADIC, DEBBRA 7721 SPEAKER RD	22.66
HUFFMAN, RICKY L LANGFORD, LACRY 9541 SWARTZ RD EDWARDSWILLI RS	26.84	KARL, JOSEPH A25 S 118TH ST BONNER SPRINGS, KS	110.33	LAWRENCE, JOHN E III 2850 N 79TH 5T KANSAS CITY KS	56.62	MAYHUGH, PHYLLIS 8020 KANSAS AVE LOT 17 KANSAS CITY, KS	211.30	MIRTH, JOSEPH M 119 N BOTH PL KANSAS CITY, KE	40.90	CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF THE CONTROL OF T	53.77 KEVIN 9.
HUFFMAN, TESSA 67 CILAC	93.62	KATES, TIM 6600 KANSAS AV KANSAS ÇITY, KS	252.60	615 E ARMOUR II(VD KANSAS CITY, MO	69.10	MAYNEZ, HELEN ELLIS, SPENCER 5035 HASKELL AVE	260.80	MITCHELL, JACK 3106 GREELEY AVE KANSAS CITY, KS		DEAWOOD KS	585.66
HULLETT, ALEX 7257 FOREST DR	122.52	KAW VALLEY MATERIALS LLC 1, 5600 KANSAS AVENUE KANSAS CITY, KS	112.04	LAZO, ALBANY 4900 BLUE LN KANSAS CITY, KS	69.65	KANSAS CITY, KS MC DONALD GRAIN CD DBA OLD MC DONALDS PET S	166.35	MOBILE HOME PROS 12550 W 64TH AVE STE E151 ARVADA, CO	443.60	PO BOX 13602 EDWARDSVILLE KS OHARE, MEGHANN	337.82
HUNT, JEREMY J 367 N 81ST TER	29.66	KAW VALLEY SAND & GRVL 2; 5600 KANSAS AVENUE KANSAS CITY, KS	135.92	LECK, WELSEY LECK, HEIDI 0301 STATE AVE LOT 80	223.44	1725 SOUTHWEST BLVD KANSAS CITY, KS	35.54	MOCK, JOSHUA AARON TAYLOR, KAYLA DIANNE PO BOX 13007 EDWARDSVILLE KS	323.02	39 SOUTHWEST DR BONNER SPRINGS, KS O'LEARY, PATRICIA	200.18
HYATTE TRUCK SERVICE	150.02	KAW VALLEY SAND & GRVL INC 17. 5600 KANSAS AVE	063.72	LEES PRINTING CO INC.	1,408.22	MCADAMS, LARRY W 4800 DELAVAN AVE RANSAS CITY KS		MOLES, ILEENE MOLES, KEVIN	563.32	PO BOX 19745 EDWARDSVILLE KS	157 Å2
BANEZ-MUNOZ, TOMAS	102.12	KANSAS CITY, KS KAW VALLEY SAND & GRVL INC	0.00	KANSAS CITY: KS		MCCLELLAND, ROBERT J 202 N 22ND ST KANSAS CITY, KS	463.32	KANSAS CITY KS	760.76	OLIVIERI, JACON 211 EMERSON AVE APT 2B BONNER SPRINGS, KS	
5940 STATE AVE LOT 25 KANSAS CITY, KS IKERD-CARTER, SHIRLEY	272.63	5600 KANSAS AVE KANSAS CITY, KS	154.08	LELAND FRAZIER DBA FRAZIER TREE SERVICE 109 S 26TH ST KANSAS CITY KS	249.25	MCCULLOUGH, DARIN 22 TRACY DR BONNER SPRINGS, KS	210,92	MOLES, KEVIN L 1047 S 74TH TER KANSAS CITY, KS		OSORIO-HERNANDEZ, OSCAR 150.74 1211 WAVERLY AVE	R RUBEN
804 S 89TH ST KANSAS CITY KR		KAW VALLEY SAND & GRVL INC SGOQ KANSAS AVE KANSAS CITY, KS	78.44	LEMON, TERRY 501 S 4TH ST APT A	25,53	MCGAHEE, RONNIE G PO BOX 52 HONNER SPRINGS, KS	717.52	MOLES, KEVIN L 1047 S 74TH TER KANSAS CITY, KS	37.46	P H W ENTERPRISES N HERMAN WALLACE	38.26
PARDO, MARIA A 1517 WASHINGTON ULVU KANSAS CITY, 88	269.64	KAW VALLEY SAND & GRVL INCO 5000 KANSAS AVE KANSAS CITY, KS	1,841.16	LESUF'S BARBER SHOP 1936 N STH STREET	44.72	MCNALLY, PETE PO BOX 11308.	169.63	MONROE, JACK 5940 STATE AVE LOT 79 KANSAS CITY, KS	92.38	1100 SHAWNEE RO KANSAS CITY, KS PARIS, DANNY	187.88
PAC CORPORATION P.O. BOX 171037 KANSAS CITY KE	3,305.62	RC HARDWOOD CORP 9. 1875 ARGENTINE BLVD KANSAS CITY, KD	540.78	LEWIS, CHRISTOPHER DUR 3001 N SATH TER	89.70	MCNALLY, PETE PO-BOX 11308	65.62	MONROY-PLATA, SERAFIN 2862 N 27TH 5T KANSAS CITY KS	367.26	15 ASHWOOD BT BONNER SPRINGS KS PARKER, RODNEY J	76.14
7205 ASPEN DR. KANSAS CITY, KS	66.58	KCK AREA CHAMBER OF COMMI	20.23	LEWS, VERNON E. ATTORNEY AT LAW	61.40	MCNATT, CHARLES PO BOX 13454	294.56	MOORE RICHARD H HUTCHERSON, TABITHA 4134 N 109TH ST HANSAS CITY KS	32.44	PARKER TAMMY L 14318 W 04TH ST SHAWNEE KS	
J & M CONSTRUCTION ROOF DIAZ AQUINO, MARIA DEL RO	2,667.88	1000 N 2ND	186.46	1021 N 7TH, SUITE 104 KANSAS CITY, KS LIMAS, FERNANDO I	149.16	MCONNEL, ANTHONY 61 ASHWOOD ST	108.12	MOTT, DAN MOTT, JUDITH	332,98	PAULY, KEVIN L 5231 EDITH AVI KANSAS CITY K9	35.54
SISN 107H ST KANSAS CITY KT. JACKSON SERVICE CENTER	2,204.26	KANSAS ČITY KII KENNY, BILL JOURDAN, SHARRON	417,44	A40 5 72ND ST KANSAS CITY, KS LIPP, TERRY	21.56	BONNER SPRINGS, KS MEDINA, JORGE 6500 KANSAS AVE LOT 53	291 80	2800 S 72ND DR KANSAS CITY KS MS R'S CAFE	103.18	PAYANA, JAIME PAYANA, JUAN 6500 KANSAS AVE LOT 131 KANSAS CITY HS	368.74
10035 KAW DRIVE EDWARDSVILLE KB JAQUEZ-RODRIGUEZ, EFRAI	N 61.06	GRANDVIEW, MO KILLION, JANICE	126.54	16 S 94TH ST EDWARDSVILLE, KS LITTLEJOHN, MARY	17,62	MEDINA, JUAN BID LYONS AVE	35.54	723 GUINDARG BLVG KANSAS CITY, KS	41 20	PAYNE, RICHARD L PO BOX 13947 EDWARDSVILLE KS	452,54
VILLAREAL, PERLA 55 LILAC LN BONNER SPRINGS AS		ROBOX 13179 EDWARDSVILLE KD		2029 S 137TH ST BONNER SPRINGS KS LOAIZA-LOPEZ, LUIS ALBERT	O 851.86	MEDINA, RENEE PO BOX 13193	298.78	MUZAK LLC TAX DEPARTMENT 3316 LAKEMONT BLVD FORT MILL 5C	41.29	PEASLEY, JIMMY R 2704 S 72ND DR LOT (12	35.64
JAQUEZ-RODRIGUEZ, EFRAI VILLAREAL, PERLA 55 LILAC LN BONNER SPRINGS, KS	N 261.14	KIMBROUGH, DELBERT W SR KIMBROUGH, SANDRA J 2711 ENDICOTT ST KANSAS CITY, KS	220.03	2618 ANN AVE KANSAS CITY KS		MEDINA-MOLINA, HECTOR 2224 WOODEND AVE	197.46	MUZAK LLC TAX DEPARTMENT 3318 LAKEMONT BLVD	102.10	PEASLEY, KENNETH 2707 S 77ND DRIVE	110.94
JARRETT, LIONEL M 5792 SW WOODBRIDGE D TOPEKA KS	60.14 R	KIRSCHBAUM, EDWIN ROBERT 1836 N 657H ST KANSAS CITY KS	43.83	HANSAS CITY KS	630.40	MELANSON, JOAN 0500 KANSAS AVE LOT 60	244.20	MYERS, ANDREW 2514 N 12TH ST	208.24	KANSAS CITY, K5 PEASLEY, KENNETH 2707 5 72ND DRIVE KANSAS CITY, K3	209.14
JEM MANICURED LAWN SVC 13903 W 7157 PLACE BHAWNEE, KD	S INC41.22	KLAAS, KENT A 1419 NEBRABKA ST MOUND CITY MO	296.16	P O BOX 1315A EDWARDSVELE KX	120.22	KANSAS CITY KS MEMA'S OLD-FASHIONED BAN	KERY 1,108.52	NACHLAB, MICHAEL 15416 LUCALE ST	35.64	PENA-CEDENO, GERARDO C 618 N 42ND 6T KANSAS CITY KS	126.20
JIMENEZ, CESAR L 5643 CLARK ST KANSAS CITY KS	35.54	KNAUS, GARRETT KNAUS, BLAINE PO BOX 13943	967.96	PO BOX 13558 EDWARDSVILLE, KS.	347.88	1360 WALNUT ST KANSAS CITY, MO METRO PLUMBING	66.90	DVERLAND PARK, KS NAIR, JANET L 31 TRACEY DR	355.89	PENNY NICKEL VENDING 1511 1/2 JULES STREET ST JOSEPH MO	43.64
JIMENEZ-RODRIGUEZ, HILDA PO BOX 135M6 EDWARDSVILLAL KS	A 368.80	KOLES, MARVIN 2820 LAKE AVE	41,66	ANALAS CITY, KS	156,32	SHANNON, JON 2400 S 34TH ST KANSAS CITY, KS	-20/44	NAJERA MARTIN BURCIAGA, ELVIA	868.94	PEREA VAZQUEZ, CESAR 89 ASHWOOD LN BONNER SPRINGS KS	67.21
JIMINEZ, FRANCIBO JAVIER 283 S BTH BT KANSAS CITY KB	50.44	KANSAS CITHY, KE KRISTI'S ACADEMY OF DANCE NKRISTI L SMITH-HIGH	46.72	LOS AMIGOS % CHARLES MORETINA 2010 STATE AVE KANSAS CITY, KO	282.00	METZGER, DUSTIN L 2838 % CHASE AVE WACHITA RS	623.72	TS10 ASPEN DR KANEAS CITY, KS NATIVIDAD, ELENA	294.10	PEREZ, JUDY PEREZ, GUILLERMINA	162.30
JOHNSON, BRICKY 1019 S 74TH TERR KAASAS CITY XB	454,54	KANSAS CITY KR	289.10	LUNA, RYAN D GAMPOB, CHRIS R	35.84	MEZA, MARIO A 338 N 7TH ST #ANSAS CITY, NS	640.82	6500 KANSAS AVE LOT 128 KANSAS CITY, KS NEGRON-RODRIGUEZ, CALIX Y	88.22	5940 STATE AVE LOT 50 KANSAS CITY KS. PEREZ ATILANO, RENE	180.73
JOHNSON, DAN W JOHNSON, SUSAN E	114.41	FDWARDSVILLE KS	38.92	*ANSAS CITY XS LYNN, BRETT W 740 LINDALN	17.47	MEZA, MARIO A SR MEZA, MARIA E 2202 N 131ST ST KANSAS CITY, KS	136.53	A022 EVERETT AVE KANSAS CITY, KS NELSON, CHRISTIAN	399.66	HOAT NAUTH ST KANDAD CITY KS PERKINS, KENNETH	25.54
10225 SWARTZ RD EDWARDSVILLE, KS JOHNSON, JOHN J	35.08	KRUM, JOHN A 1201 S 41ST ST KANSAS CITY, KS		HONNER SPRINGS, KS MACDONNELL, LESLIE K	62.68	MICRONEX INC SANDRA BROWNLEE PO NOX 140	443.30	970 S 74TH TER KANSAS CITY, KS NELSON, RAMONA J/DONNA	457.42	1819 N 50TH TER KANSAS CITY, KS PERUGINI, MICHAEL	107.40
MANSAS CITY KS JOHNSON, STEVEN J	105.98	2208 W 39TH AVENUE KANSAS CITY KR	173.04	47 TRACY BONNER SPRINGS KS MAGEE, CHARLES M	867.06	BONNER SPRINGS KS MIKESSELL NICHOLAS C	48.52	TAVAI, BRIANA J 1126 S 75TH ST KANDAS CITY KS	******	170 CORNELL AVE BONNER SPRINGS, KS	
12412 DONAHOO HD KANSAS CITY KS JONES RANDALL S DDS	646.62	RAINES, MARK. 40 LILAG I N BONNER SPRINGS KS	468.00	MAGEE, RUTH M 7445 EDGEHIL LAVI KANSAS GITY, KS		9603 NELSON LN KANSAS CITY, KS MILLER DENNIS MD PA	88.66	NELSON, TRACY N 413 N GARFIELD ST BONNER SPRINGS, KS	40.08	7621 RIVERVIEW AVE KANSAS CITY, KS	35.5
1320 CENTRAL AVE KANSAS CITY KS	21,227.38	LANGFORD, CHRISTOPHER LANGFORD, ANGELA 7213 ASPEN	261.44	MALDONADO, JOSEPH MALDONADO, ANITA P O ROX 13520 EDWARDSVILLE KR	403.13	SUITE #360 21 N 12TH ST KANSAS CITY, KS		NEWCOME, AMANDA 7205 FOREST DR # 18 KANSAS CITY KS	19.58	PHILLIPS, CHRISTOPHER T 2508 S 53KD ST KANSAS CITY K5	579.6
8334 RUBY AVI KANSAS CITY KS JURADO, LUIS ANTONIO	52.74	KANSAS CITY KS LAPOINT, SEAN P 1901 S 32NO ST	35.54	MARCUS, JEANNA ANN MARC	GARET 110.56	MILLER, CHAZ VITOR LAVELL (610 DONAHOO RD KANSAS CITY, KS	E 29.34	NICHOLSON, JOSHUA D 19537 174TH ST TONGANOXIE KS	54.06	PHILLIPS, JEFFREY C 1836 S 101H 1ERR KANSAS CITY, KS	29.3
3718 N 59TH ST KANSAS CITY, KS		KANSAS CITY, KS	59,82	KANSAS CITY KS MARRUFO, JAMIE	79.58	MILLER, DOUGLAS W 2619 S 53RD ST KANSAS CITY, KS	56,26	NOEL GENE 1805 IS 105TH TERR EDWARDSVILLE KS	25,34	PHILLIPS, STEVE D 4242 N 74TH ST KANSAS CITY, KS	36.6
K C GAS MART. CHAUDHRY, BAJJAD 2405 W 7531H ST 478-22H PRAIRIE VILLAGE, KS	542.92	302 S BOEKE ST KANSAS CITY KS LARRY STRAIT AGENCY	216.02	MARRUFO, RAMON 149 N 291H 51 KANSAS CITY, #S	e av	MILLER, MATTHEW 3633 EVERETT AVE KANSAS CITY, AS	26.60	NORIA'S CONSTRUCTION CO	132.18	PICAZO, PEDRO 1711 S SETH ST EDWARDSVICLE KE	108.9
K C MUFFLER 19339 KAW DRIVE EDWARDSWILL KS	378.62	7925 STATE AVE BITE 105 KANSAS GITY, KB		MATTHEWS, JOHN C 2820 5 8TH ST KANSAS CITY NO	36.64	MILLER, MICHAEL E 15 ROYAL DR KANSAS CITY, KS	219.54	KANSAS CITY, MO		PIKE, REANNE 834 B 75TH BT KANSAS CITY KS	467.4

This paper contains a summary of the items mentioned by Mrs. Nancy Carpenter during the public comment portion of the March 4, 2020 BOCC meeting. I ask that it be included in the public record for DEV-19-008, the Lenape Sand Quarry proposal.

Screen shots were taken from Kaw Valley documents to illustrate some of the inaccuracies and inconsistencies found within.

What is the size of the project?



U.S.

Regulatory Branch (NWK-2018-1458)

Mr. David Flick Terra Technologies 6240 West 135th Street, Suite 1 Overland Park, Kansas 66223

Dear Mr. Flick:

This letter is in response to a requesting a Department of the identified 155 acre tract of land Township 12 south, Range 22





DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT 635 FEDERAL BUILDING 601 E. 12TH STREET KANSAS CITY, MISSOURI 64106-2824

May 28, 2019

Regulatory Branch (NWK-2018-1458)

Mr. David Flick Terra Technologies 6240 West 135th Street, Suite 100 Overland Park, Kansas 66223

Dear Mr. Flick

Permit No. NWK-2018-1458 has been executed. One copy is enclosed for your records and one copy has been retained for our files. The permit authorizes plans by the applicant to place fill materials within and impact 8.02 acres of wetland for the purpose of developing a 188-acre project site for sand dredging.

Kansas

NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities
In accordance with the Kansas Water Pollution Control General Permit
Under the National Pollutant Discharge Elimination System (NPDES)

D. PRO	DJECT DESCRIPTION		
1)	Project Description: 208.6 acre o	pen-pit sand dredging quarry located a	at the southeast corner of 166th & Lenape
	Road in southern Leavenwe	rth County, Kansas.	
2)	Does this NOI include all proposed so	oil disturbing activities associated with the entire co	ommon plan of development?
		reas of the site are not included in this NOI and an or have operational control of these areas:	provide contact information, if available,
	The site would have a 146 a	cre open lake for dredging sand depos	sits, which would also serve as a
	sediment basin for the site.	Upon completion of mining activities,	the lake would remain for recreation.
3)	Anticipated project Start Date: Au	Transcar	2014
4)	Estimated total area to be disturbed:	208.6 Acres Total area of the site:	: _224 Acres
Received	RECEIVED	Amount Paid: (O.	1 11/1
	JAN 28 2019	Date: 2019-01-28	Reviewer / the
		Initials: C 5	Authorized: → NY; □ N
	BUREAU OF WATER	Check No.: 120477	Is Authorization Conditional? Y; N
Authorized	d by:		(if yes, see page 3 of NOI for conditions)
	J. 1 21	Pen P	2/13/10
C	Vancas Danaturant of Health and Fami	Pole Pole	2/12/17

Lenape Sand Quarry Written Narrative Description of Proposed Use for Special Use Permit 06-28-19

Sediment Basin: The proposed dredging ponds would also serve as a large sediment basins for storing runoff from the surrounding fields. The southern dredging pond south of Lenape Road would be used for the Phase 1 thru Phase 5 mining stages, and at full excavation would have a surface area of approximately 114 acres and a storage depth of approximately 50 ft. The northern dredging pond north of Lenape Road would be used for the Phase 6 mining stage, and at full excavation would have a surface area of approximately 38 acres and a storage depth of approximately 50 ft. The existing grid-

Tuesday, October 30, 2018

Mr. Brian Donahue US Army Corps of Engineers Regulatory Division Kansas City District 635 Federal Building 601 East 12th Street Kansas City Missouri 64106

RE: 2018-1458 CWA 404 Individual Permit Application Lenape Sand Quarry

Unincorporated Leavenworth County, Kansas

Dear Mr. Donahue,

Please find enclosed Form 4345 for your review and utilization. We are retained by the applicant to seek a permit authorizing proposed impacts to waters of the United States for development of the 160-acre industrial project in unincorporated Leavenworth County, Kansas. The project includes landward dredging of 15+ years of including interior roadways, processing area, storage, and green space. Your

Are there internal roads or not?



Tuesday, October 30, 2018

Mr. Brian Donahue US Army Corps of Engineers Regulatory Division Kansas City District 635 Federal Building 601 East 12th Street Kansas City Missouri 64106

RE: 2018-1458 CWA 404 Individual Permit Application Lenape Sand Quarry Unincorporated Leavenworth County, Kansas

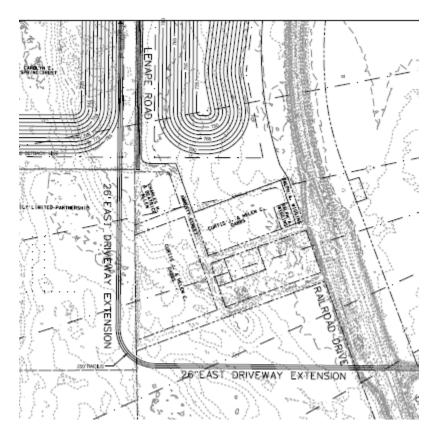
Dear Mr. Donahue.

Please find enclosed Form 4345 for your review and utilization. We are retained by the applicant to seek a permit authorizing proposed impacts to waters of the United States for development of the 160-acre industrial project in unincorporated Leavenworth County, Kansas. The project includes landward dredging of 15+ years of including interior roadways processing area, storage, and green space. Your

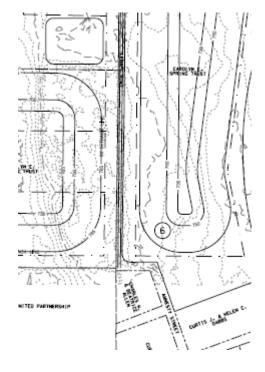
Site Plan Application Form No incomplete applications will be accepted

1.	Describe Proposed Construction	
	Open Surface Sand Mining Operation. Sand dredging would form a lake o processing area with an aggregate washer and materials separator/consolidated and aggregate for transporting off of the site.	
Dε	tails	
D€ 2.	Is this site plan a continuation (phase) of a prior site plan?	YES (NO)
2.		YES (NO)
De 2. 3.	Is this site plan a continuation (phase) of a prior site plan?	YES NO

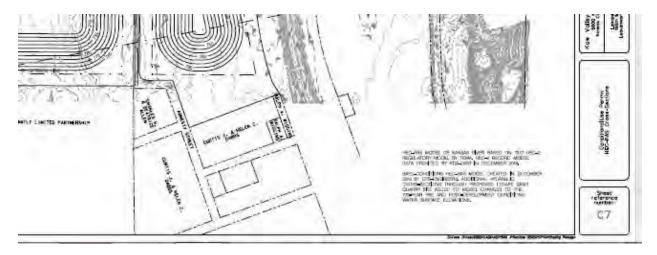
Site Plan map C7-A shows an internal road (east driveway extension)



Other Site Plan maps do not this is map C6 as an example



The SWWP was not updated as it still contains map C7 not C7-A showing no internal road



How long is this project to last?



NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities

		n accordance with the Kansas Water Pollution Co Under the National Pollutant Discharge Elimination	
PRO	DECT DESCRIPTION		
1)	Project Description: 208.	6 acre open-pit sand dredging quarry local-	ed at the southeast corner of 166th & Lenape
	Road in southern Le	eavenworth County, Kansas.	
2)	Does this NOI include all p	proposed soil disturbing activities associated with the enti	ire common plan of development?
		elepment areas of the site are not included in this NOI ties that own or have operational control of these areas:	and provide contact information, if available,
	The site would have	a 146 acre open lake for dredging sand de	posits, which would also serve as a
	sediment basin für ti	ne site. Upon completion of mining activit	is, the lake would remain for recreation.
3)	Anticipated project Start D	ate: August 2019 , and Completion Date:	August 2049
4)	Estimated total area to be d	fisturfied: 208.6 Acres Total area of the	site: 224 Acres
ccived	RECEIVED	Amount Paid: (40.00	1 1111
	JAN 28 2019	Date: 2019-01-28	Reviewed . Str
		Initials: C 5	Authorized: Y
	BUREAU OF WAT	ER Check No.: 120477	Is Authorization Conditional? Y: N
therizo	d by:		(if yes, see page 3 of NOI for conditions)



Tuesday, October 30, 2018

Mr. Brian Donahue US Army Corps of Engineers Regulatory Division Kansas City District 635 Federal Building 601 East 12th Street Kansas City Missouri 64106

Secretary, Kansas Department of Health and Environment

RE: 2018-1458 CWA 404 Individual Permit Application Lenape Sand Quarry Unincorporated Leavenworth County, Kansas

Dear Mr. Donahue.

Please find enclosed Form 4345 for your review and utilization. We are retained by the applicant to seek a permit authorizing proposed impacts to waters of the United States for development of the 160-acre industrial project in unincorporated Leavenworth County, Kansas. The project includes landward dredging of 15+ years of including interior roadways, processing area, storage, and green space. Your

DEPARTMENT OF THE ARMY PERMIT

Permittee Kaw Valley Companies, Inc.

Permit No. NWK-2018-1458

Issuing Office U.S. Army Engineer District, Kansas City

General Conditions:

1. The time limit for completing the work authorized ends on 31 December 2029. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

Lenape Sand Quarry, Traffic Impact Study, January 2020

pg 4

holidays. The company estimates that this quarry could be in operation for twenty five years or longer depending on the demands for sand materials.

Plant Operations Memorandum

June 28, 2019

<u>Plant Expansion.</u> There is a possibility that Kaw Valley could expand the sand quarry site y acquiring additional land to the east of the proposed project. Being in the floodplain, the land is

Documents have not been updated so the actual "plan" is hazy. Many Kaw Valley documents date back to before the Planning Commission meeting and contain information that conflicts with later documents.

Plant Operations Memorandum

June 28, 2019

Lenape Sand Quarry Written Narrative Description of Proposed Use for Special Use Permit 06-28-19

SWPPP - Stormwater Pollution Prevention Plan

May 14, 2019

Plant Noise Level Study

June 25, 2019

Pulled from the "Form 4345 404 Permit Application Form" showing inaccurate information

Adjacent Owners



Adjoining Property List		
Exhibit ID	Owner Name	Owner Address
1	SPRING, CAROLYN E: TRUST	425 CRESCENT CIR ALBERT LEA, MN 56007-1482
2	TINBERG FARMS LLC	16104 GOLDEN RD LINWOOD, KS 66052-4440
3	OELSCHLAEGER, ROBERT T	16819 LENAPE LINWOOD, KS 66052
4	KELLY.THOMAS E & DONNA L	15290 STILLWELL RD BONNER SPRINGS, KS 66012
5	OLATHE CITY	PO BOX 768 OLATHE, KS 66051-0768
6	OLANDER FAMILY LIMITED PARTNERSHIP	7607 FAIRWAY PRAIRIE VILLAGE, KS 66208
7	DABBS, CURTIS J & HELEN C	PO BOX 707 DE SOTO, KS 66018
8	ALLEN, CHARLES H & BEATRICE	Attn: CASEY, CAROLYN 101 E HWY 14 #APT A LEAD HILL, AR 72644

Pulled from the LVCO GIS mapping system which clearly shows that Mr. Wiggins is an adjacent property owner

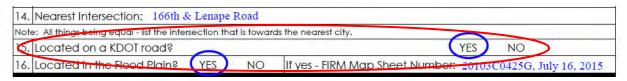


More inaccurate statements – there is a definite lack of attention to detail in Kaw Valley's documents. I could point out numerous other errors if you wish. It seems to me that by this time in the process, all the typos would be fixed and all of the paperwork would have been cross-checked with an eye to consistency and accuracy. Is it wise for the County to enter into an agreement with a company that seems so casual in its preparation of required documents?

Date: 10/31/2018 Surveyor: SNS
Surveyor: SNS
Surveyor SNS
It is bordered by a olf course to the south,

Wyandotte is the name of the street in DeSoto not in Leavenworth County.

Site Plan Application Form No incomplete applications will be accepted



I do not believe that either Lenape or 166th are KDOT roads.

Conclusions

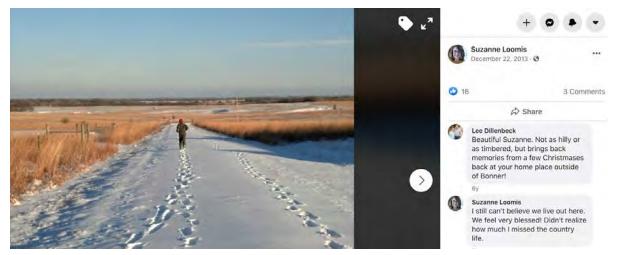
In this section are photographs, documents, and commentary which convey the Spring family's decades long affinity for the Lenape area and their love of a rural way of life. Included are a:

photo gallery from public Spring family Facebook posts

protest petition from the 2002 Rocca Quarry signed by the Spring family

2002 Spring statement against the proposed Rocca Quarry

rewrite of lyrics to "Paradise" by John Prine



"I still can't believe we live out here. We feel very blessed! Didn't realize how much I missed the country life." -- Suzanne (Spring) Loomis



"Sunrise over the fog to the east this morning. Peaceful." -- Suzanne (Spring) Loomis



"Beautiful...is this a view from your deck?" "Yes mam a little serenity right here in Kansas!" -- Suzanne (Spring) Loomis



"My grandfather, Chester Spring, who farmed the Lenape River Bottoms along with my father." -- Amy Spring O'Rourke #farmersdaughter



"Everything I love is at the end of a dirt road." -- Amy Spring O'Rourke



"So beautiful! I miss the sunflowers!" "Where was this taken? Looks like a Hallmark moment." "Tonganoxie" -- Lyn Spring Knutson

1. +88 21 pcl

CLERK

BEFORE THE LEAVENWORTH COUNTY COMMISSION 236-23 pcl september 19, 2002

PROTEST PETITION IN OPPOSITION TO
CONDITIONAL USE PERMIT APPLICATION
OF J. WILLARD OLANDER, JR., ET AL.,
K. TINBERG, ET AL. AND ROCCA CORPORATION
FOR QUARRY/MINING OPERATION IN SHERMAN TOWNSHIP,
LEAVENWORTH COUNTY, KANSAS

The undersigned, constituting the owners of 20% or more of any real property subject to the conditional use permit proposed by applicants or located within 1,000 feet of the boundary of the property subject to the conditional use permit proposed, excepting public streets and ways, do hereby protest the same pursuant to the provisions of K.S.A. 19-2960(b).

This protest is based upon, and adopts, the recommendations of the Leavenworth County Planning Commission and the reasons stated therefor and the report of the staff of the Leavenworth County Planning and Zoning Office. Petitioners further state that the conditional use permit application fails the test of the Golden case, fails to address eminent traffic and road issues, fails to provide a reclamation plan, citizen participation plan or address other relevant issues.

Signature

Name Printed

Address

Cazolyn Spring

Charles H. Spring

LEAVENWORTH COUNTY

Spring Family Opposition to 2002 Rocca Quarry Proposal:

Suzanne (Spring) Loomis - 1121 WedgeWood - "I am representing the Spring family and their property is adjacent to the property that is being discussed. Under the existing zoning the land can be developed as Rural Residential. The property on the bluff may not have soil conditions suitable for passing a perk test wastewater systems could be constructed to serve the area. The Spring's property does have soil appropriate for a septic system. With [quarry] industry next door it would not be possible to develop that land [for rural residential use]. The growth trend shows that more people are moving to rural locations to get out of the bigger cities. The existing railroad forms the perfect divider between different zoning classifications. The railroad barrier is also a problem for any trucks that want to travel through DeSoto. If there is a train blocking the tracks there are going to be trucks trying to use the dirt roads to try to get around and cause the roads more damage. The appearance of the trucks will not maintain the rural character. Residential developments bring people to the area to live for a life time. Traffic concerns are great. It is not the number of trips that will cause the problem but it is the type of traffic. The Comprehensive Plan shows this area as Rural Residential not Industrial. Have all environmental issues been looked at?"

Adapted Lyrics to "Paradise" by John Prine

Then the sand company came with the world's largest shovel
And they tortured the earth and stripped all the soil
Well, they dug for their sand 'til the land was forsaken
Then they wrote it all down as the progress of man

Daddy won't you take me back to Leavenworth County

Down by the Kaw River Where Paradise lay

Well, I'm sorry, my son, but you're too late in asking

Ms. Knutson's sand pit has hauled it away



Proposed Lenape Sand Quarry Site

Andrea G. Bough 816.472.2523 agbough@lewisricekc.com

July 29, 2019

Board of County Commissioners of Leavenworth County, Kansas 300 Walnut Street, Suite 225 Leavenworth, KS 66048

> Re: Case No. DEV-19-008; Kaw Valley Companies, Special Use Permit (Sand Mining)

Dear Commissioners:

This firm represents Tinberg Farms, LLC ("Tinberg Farms") with respect to the application for a Special Use Permit (the "SUP") that has been submitted by Kaw Valley Companies, Inc. ("Kaw Valley") to operate a surface mining operation to quarry and stockpile sand from underlying deposits (the "Sand Quarry"). Tinberg Farms is adamantly opposed to the issuance of the SUP and the construction and operation of the Sand Quarry and requests that the Board deny the SUP for the reasons outlined below.

The proposed site encompasses approximately 224 acres of land at the southeast corner of 166th Road and Lenape Road in Leavenworth County, Kansas. The City of DeSoto, Kansas is situated just to the south of the Sand Quarry site and within approximately .7 miles from the proposed southern boundaries; the Burning Tree Golf Club and the Kansas River is immediately to the south; there is a house within 500 feet of the northeastern boundary of the property; and property zoned RR-2.5 (Rural – Agricultural and Residential) is just to the north within 500 feet of the property. The railroad runs along the northern border of the proposed site. As will be discussed in more detail below, the surrounding area is rural agricultural property characterized by rural roads. While the subject property is zoned I-3 (Heavy Industrial), there is no industrial use in the immediate area.

Kaw Valley is proposing to operate the Sand Quarry Monday through Friday 6:30 a.m. to 6:30 p.m., with truck traffic in and out of the site occurring 7:00 a.m. to 3:00 p.m. on weekdays. There have been varying statements by Kaw Valley on the amount of sand anticipated to be produced by the site, which would impact the amount of truck traffic leaving and entering the site. The written narrative dated March 13, 2019 prepared and submitted by Kaw Valley with the original SUP application stated that "[t]he amount of truck trips generated by the site would vary seasonally, depending on weather and construction demand. It was anticipated that the site would produce 5000 tons of sand during a regular day's operation, and as many as ten to fifteen trucks per hour could enter and then exit the site during regular production periods." On June 28, less than 2 weeks prior to the Planning Commission hearing, the written narrative was updated by Kaw Valley to state that

Lewis Rice

July 29, 2019 Page 2

"[a]n estimated 8 to 10 truck trips per hour or 64 to 80 truck trips per day would drive to the site each regular weekday between the hours of 7:00 a.m. and 3:00 p.m. It was anticipated that the site would produce 2000 tons of sand during a regular day's operation." At the Planning Commission, Ms. Krystal Voth, when giving her staff report, stated that Kaw Valley anticipates that 4000 tons of sand is anticipated to be generated from the site daily. To date, there has been no explanation of the discrepancies in the amount of sand that is anticipated to be mined and the resulting impact on the number of truck trips per hour and per day.

On July 10, 2019, the Planning Commission considered the SUP application, and heard testimony in support and opposition. Approximately twenty-five property owners or community leaders addressed concerns regarding approval of the SUP application. One property owner who owned property to the east testified in favor, noting the presence of sand on his property, and presumable the possibility of future mining. After hearing testimony and deliberating for almost three hours, the motion to approve the SUP failed on a 3-4 vote, with the primary concern raised by those Planning Commission members voting against the motion being the increase in truck traffic, the risk to the public safety, and the lack of economic benefit.

Opposition testimony at the Planning Commission meeting was limited to 3 minutes, and we were unable to adequately address all of the factors that the Planning Commission and Board of County Commissioners must consider in approving or denying a special use permit. Since we think that the staff report did not thoroughly address each of the factors and in order to provide you with a summary of all of the relevant evidence, including the evidence presented at the Planning Commission in order to analyze each of the factors that you must consider, we are providing this letter for your consideration.

Special Use Permit

As you may know, under Section 1, Article 22 of the Zoning & Subdivision Regulations for Leavenworth County, Kansas (the "Zoning Regulations"), certain uses of property may only be permitted after approval of a special use permit. The "extraction of raw materials such as rock, gravel, sand and clay" requires a special use permit under Article 19 – Table of Uses of the Zoning Regulations for all zoning districts, including the I-3 (Heavy Industrial) zoning district. These certain uses requiring a special use permit, such as the extraction of sand, are "of a type or nature which may be desirable or necessary to be located in the County, but, due to their nature, may be *incompatible with the surrounding area* without a thorough review and possibly placing of conditions on the use to protect the health, safety and welfare." Section 1, Article 22 of the Zoning Regulations (emphasis added). When the factors outlined in Section 6 of Article 22 are considered, we think the Board of County Commissioners will find that the use of the property at this particular location as a Sand Quarry is incompatible with the surrounding area and the SUP must be denied.

Factors to Consider

Section 6, Article 22 outlines eight (8) factors for the Planning Commission and Board of County Commissioners to consider when "approving or disapproving a Special Use Permit . . ." The Planning Commission considered these factors and denied the SUP. While the Planning Commission focused primarily on an increase of truck traffic on roads and the impact on public safety nearby

Lewis Rice

July 29, 2019 Page 3

property as well as the lack of economic gain, we think that evidence presented at the Planning Commission as well as all of the evidence supports denial under these and other factors as well.

1. Character of the neighborhood.

The first factor addresses the character of the neighborhood. The staff report prepared for the Planning Commission noted the following with respect to this factor:

The neighborhood is primarily zoned as industrial and has large-agricultural uses. There are several homes in the vicinity, mostly to the north of the subject parcel. Most of the residential properties are approximately ½ mile from where the mining activities are proposed to take place. The Burning Tree golf course is located south of the proposed development.

In addressing this factor, the Planning Commission appeared to defer to the staff report. The staff report, however, does not fully address the "character" of the neighborhood. Character of a neighborhood describes what attributes it has in its present state, not what the current zoning ascribes as its allowable uses. (See *Taco Bell v. City of Mission*, 234 Kan. 879, 882 678 P.2d 133 (1984) noting that character of the neighborhood is "defined by reference to nearby uses").

While the staff report characterizes the residential use as within ½ mile, there is a house within 500 feet of the property. The Sand Quarry property encompasses 224 acres. In examining the character of the neighborhood, it is imperative that the Board consider more than simply the immediately adjacent properties due to the scope of this project and the fact that its operations will expand – through truck traffic – well beyond the boundaries of the property.

As numerous residents and property owners testified at the Planning Commission, the character of the neighborhood is rural agricultural, with residential property to the north, a golf course to the immediate south, and the City of DeSoto just south of the golf course. Truck traffic leaving the site on the route preferred and suggested by County staff must travel through rural and residential areas (both rural/residential as to their use and zoning).

Mr. Mark Tinberg, who owns property adjacent on two sides of the proposed Sand Quarry, testified at the Planning Commission that in addition to owning property he also currently farms the property adjacent to the proposed Sand Quarry on three sides. Ms. Tracy Tinberg testified as to the current use of the land as agricultural use and importance of such use. Mr. Ralph Wiggins and Mr. Ben Morgan also testified as to the nature and character of the surrounding area being that of rural agricultural, which is what attracted them to purchase homes in this area and to remain in this area.

There was ample evidence as to the character of the neighborhood currently being rural agricultural and that the intensity of use and increase in truck traffic would significantly change the character of the neighborhood.

July 29, 2019 Page 4

2. Zoning and uses of nearby property.

The staff report notes that the properties in the immediate area are zoned I-3 (Heavy Industrial) and the parcels to the north are zoned RR-2.5 (Rural - Agricultural - Residential). The staff report also notes that the primary use of the parcels in the immediate vicinity is large-scale agricultural, and states that the proposed use is allowed with a special use permit. However, we are unaware of any industrial uses to the south of the railroad tracks, and the only industrial uses are much further east in the bluffs. All uses of the nearby property are agricultural and/or rural residential. Thus, the current uses are not and have never been industrial so the fact that the current zoning is industrial is of little importance.

3. Suitability of the property for the uses to which it has been restricted.

The staff report focused on the suitability of the property for the proposed use. This factor actually concerns whether the property is suitable for uses as restricted (see *Taco Bell*, 234 at 888-889). In other words, is it suitable for uses other than for a sand quarry? There was simply no evidence presented by Kaw Valley to suggest that it would not be suitable to continue in its current use or a use other than the Sand Quarry. In fact, as noted above, Mrs. Tinberg presented testimony at the Planning Commission on the value of preserving agricultural land.

Nonetheless, if the Board wishes to consider the suitability of the property, the mere fact that the use is permitted with a special use permit is not enough. A weighing of the factors is required. As noted above, the purpose of a special use permit is to determine whether a particular use is compatible with the surrounding area. When considering the factors, it is clear that this use in this location is not compatible with the surrounding area and the Sand Quarry is not suitable for this particular property.

Additionally, Kaw Valley has not clearly outlined the initial start-up phase of removing the topsoil or the reclamation plan for the property once the operations at the Sand Quarry cease. The Plant Operations Memorandum indicates that a "sizable lake" would be created from the continued dredging and evacuation of the site and that the "lake depths would vary significantly over the course of a year." There is no information as to the variations or the minimum depths of the lake to provide a clear understanding of the condition of the property once the dredging is completed and Kaw Valley abandons the site. While the focus of the hearing was on the operations of the Sand Quarry, the initial phases of start-up and the lasting impact after the SUP expires should also be considered.

4. Extent to which removal of the restrictions will detrimentally affect nearby property.

Staff noted increased traffic and noise as affecting the surrounding area. Members of the Planning Commission expressed serious concern over the increase in truck traffic along rural roads with no shoulders and the threat to public safety and welfare that would result.

July 29, 2019 Page 5

While an increase in truck traffic is a major concern, there are other detrimental impacts that the Sand Quarry will have on nearby properties that warrant a denial.

Traffic:

With respect to traffic, the staff report stated, however, that staff was "working with the applicants regarding roadway improvements to help mitigate traffic concerns." In the analysis section of the staff report there are references to the applicant's estimates of 8-10 trips per hour during the restricted truck traffic hours of 7:00 a.m. to 3:00 p.m. Staff recommended that traffic be limited to "Route 2," which would require truck traffic to exit the property and drive north on 166th Street to Golden Road, then turn east on Golden Road to 158th Street to Loring Road, and east on Loring Road into Wyandotte County/Bonner Springs. Unfortunately, there are serious concerns with the recommendations and conditions provided in the staff report.

As noted above, traffic was a major concern of those members of the Planning Commission voting against the SUP. Kaw Valley submitted a traffic impact study (the "Traffic Study") dated June 28, 2019, prepared by Cook, Flatt & Strobel Engineers P.A. However, the Traffic Study submitted to the County and before the Planning Commission for consideration did not address the route suggested by the County. In a Memorandum dated May 21, 2019, Michael Spickelmier, Public Works Director, initially recommended one of two routes. Public Works also recommended a dedicated turn lane on 166th Street to accommodate large trucks on southbound lanes and an acceleration lane on 166th Street for northbound trucks from the Sand Ouarry. In a follow up memorandum dated July 3, 2019, Mr. Spickelmier supplemented his previous memorandum, and stated that the preferred route was the eastern route or "Route 2." He noted in the July 3 memorandum, which was included in the conditions of the SUP, that the "intersection of County Route #2 (158th Street) and Loring Road will require additional study by their engineering and traffic consultant." The July 3 memorandum also cited additional concern for the intersection of Golden Road and 166th Street, including cueing and sight distance. The July 3 memorandum of Mr. Spickelmier, made it clear that the Planning Commission did not have an adequate traffic impact analysis to consider, and the County's Public Works Director raised concerns about the route, suggesting the need for additional study.

There was testimony from numerous citizens about the condition of the roads and the impact that an increase in truck traffic would have. Mr. Dan Yates, who has worked in the concrete and asphalt business for 40 years, the first 20 years of which were for major contractors building roads, testified that the current roads are chip and seal and much of the roadway has no shoulder. He noted that the truckloads will destroy the roads. Mr. Wiggins testified that many runners and bicyclists use these roadways. The lack of shoulders along a long stretch of the roadway in which the trucks will travel as well as the presence of runners and bicyclists along these roads will present a safety risk. Ms. Paula Jaskinia noted that pursuant to Leavenworth County Resolution 2009-50, Leavenworth County currently prohibits commercial truck traffic along these roads in

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> Leavenworth County. Approval of the SUP would contradict previous findings made by the Board of County Commissioners with respect to truck traffic on these routes.

> Additional testimony by Mr. Kevin Otterman was provided at the Planning Commission concerning the fact that the City of DeSoto had expressed concern and prohibited truck traffic traveling south through the City of DeSoto. An email from City of DeSoto staff was included in the Planning Commission packet and addressed in the staff report. Mr. Otterman also testified that the truck hours would overlap with school bus traffic along the designated Route 2.

While the increase in traffic of 8-10 large trucks per hour on rural county roads without shoulders is of great concern, there remains a question as to whether 8-10 trucks per hour or 64 to 80 per day is an accurate estimate. As noted above, the discrepancy and change in tonnage estimates for the site has ranged from 2000 - 5000, without any explanation. Assuming that the site will produce 4000 tons of sand, as stated at the Planning Commission meeting, at 25 tons per truck would result in 160 truckloads.

When asked at the Planning Commission whether the recommended route was the safest, Mr. Spickelmier could only state that Route 2 was the best option. Tom Ingram, an engineer with Cook, Flatt & Strobel Engineers P.A., the firm that prepared the Traffic Study, testified that AASHTO (American Association of State Highway and Transportation Officials) recommends a minimum of a 6 foot graded shoulder for Loring Road (a significant segment of Route 2), yet Loring Road is striped with 11 foot lanes and 2 foot shoulders. Mr. Spickelmier stated that Kaw Valley had agreed to comply with all conditions, but on further questioning from members of the Planning Commission confirmed that annual impact fees in the amount of approximately \$107,000 annually were only for maintenance. The only improvements requested were for acceleration and deceleration lanes on 166th Street leaving and entering the Sand Quarry. No additional costs to improve the roads to accommodate the additional truck traffic, including meeting AASHTO standards, was included in the conditions or request. Further, it is unclear whether the County is requesting an accurate traffic study of the recommended route to know what improvements are necessary. While the staff report suggests that traffic concerns are being mitigated, the staff report does not adequately address safety concerns.

In addition to the condition of the roads, Ms. Andrea Summers presented testimony relating to the condition of the bridges along the routes. On the proposed Route 2, one such bridge is rated at 13 tons and was built in 1922. This bridge will simply not withstand a truck carrying 25 tons of sand. It has also come to our attention since the Planning Commission meeting, that KDOT is unware of the plans for additional truck traffic along these routes and has raised concerns. While Mr. Ingram testified that he had talked to Bonner Springs and Mr. Spickelmier stated that the County had coordinated with Bonner Springs, at the July 8 City Council meeting (see https://www.youtube.com/watch?v=3Ip5jLheqMc), the Bonner Springs Council expressed concerns about truck traffic through Bonner Springs. Again, this shows a lack of investigation as to the safety of the truck traffic over these rural routes.

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Neither Mr. Ingram, whose firm prepared the traffic study, nor Mr. Spickelmier, could say that the roads met the standards necessary to support the increased traffic or that Kaw Valley was agreeing to pay the costs to improve the roads to AASHTO standards to ensure public safety and welfare due to the increase traffic. The fact that there was no adequate traffic impact analysis provided and there were discrepancies on how much traffic would result from the operations is further reason that this SUP should not be approved.

Approval of the SUP without an adequate traffic study to advise the County as to the feasibility of increased truck traffic, any improvements that would be necessary, especially in light of the fact that the County has previously prohibited truck traffic on at least some of the route, seems premature at best and disregards the risk to public health, safety and welfare at worst. Numerous residents expressed concerns about increased liability for traffic accidents, and Ms. Stefanie Swenson noted her personal experience with a T-bone or side impact collision with a large truck that has left her with long-term physical injuries. Additional truck traffic on roads that are not equipped to handle such traffic could endanger the lives of Leavenworth County residents and those travelling along roads that the Board of County Commission has previously determined were not suitable for commercial traffic.

Noise and Other Concerns:

Further, staff noted that while there would be an increase in noise, the applicant was mitigating the concerns by using an electronic dredge and stated that, based upon Kaw Valley's study, the noise levels drop to 62.8 dBA within ½ mile and would "be within standard limits by the time the noise has travelled to residentially zoned parcels." Ms. Nancy Carpenter, a concerned neighbor, conducted a sound study showing current decibel levels at 10 locations around the Sand Quarry and along the truck route. Ms. Carpenter's study, which she presented to the Planning Commission, showed decibel readings at these locations ranging from 24.0 to 49.2 dBA, with the highest reading located near the train tracks and impacted by a 103-decibel reading from the passing of a train. Ms. Carpenter also measured the sound from ½ mile away from a sand quarry in Eudora, KS. What is significant in comparing the two studies is that the sounds currently experienced in and around the proposed Sand Quarry result in periods of quiet with occasional noise from passing trucks, motorcycles, trains, and general traffic. In comparison, the noise emitted from the Eudora sand quarry, using a similar dredge proposed to be used at the Sand Quarry, is that of a constant level of noise. The approval of the SUP will significantly change and detrimentally impact the noise levels in the surrounding area.

Testimony presented to the Planning Commission suggested other detrimental impacts on the surrounding property not addressed by the staff report. Mr. Wiggins and Ms. Patty Shirley both testified that most of the properties received water from wells and they raised concerns about water levels and contamination. No information was provided as to the monitoring of water wells for water level or contamination on adjacent property.

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Ms. Stefanie Swenson, manager of the Burning Tree Golf Club, spoke of the operations of the Golf Club and the benefits to the public that it provides. The operation of a Sand Quarry adjacent to the Golf Club would impact the tranquility that its patrons seek. Ms. Summers also presented the Planning Commission with evidence of numerous Mine Safety and Health Administration (MSHA) violations of Kaw Valley, many of which are currently delinquent.

5. Length of time the property has been vacant as zoned.

The property is not currently vacant. As noted in the staff report, it has been used for agricultural purposes "for at least the past two decades." Mrs. Tinberg provided testimony as to the necessity of maintaining agricultural land and uses, and the loss of these 224 acres would be significant. Mr. and Mrs. Tinberg farm the land on three sides of this property.

6. Relative gain to economic development, public health, safety and welfare.

Kaw Valley presented little evidence of economic gain to Leavenworth County should the SUP be approved. Representatives from Kaw Valley had not calculated the increase in property taxes resulting from a change from agricultural to industrial use and could only speculate that such change would result in approximately \$25,000 in additional property taxes. Further, the Sand Quarry will add only 2-3 new jobs. Despite Kaw Valley's testimony, Mr. Tinberg noted that he had spoken with the County Appraiser and the Appraiser's Office was unsure of the value it would place on the property if the project were completed.

Mr. Rick Fredrick, a member of the Bear Lake Homes Associate Board and a financial advisor for over 35 years, closed the public testimony by offering Bear Lake Homes Association's opposition to the SUP out of concerns for public safety resulting from an increase in heavy truck traffic on the roads and an increase in the cost of road repairs that wear and tear will cause. He also noted that in his role as a financial executive and financial advisor for over 35 years, the addition of an estimated \$25,000 in additional taxes and 2-3 jobs for Leavenworth County residents when weighed against the loss of new homes in terms of real estate taxes and economic development that flows from additional residents that would be lost because of the Sand Quarry located at the entry into Leavenworth County did not make good economic sense and would preclude further economic development. Further, Mr. Brent Sullivan accurately noted that Kaw Valley's primary plant to which the sand will be transported is located in Edwardsville, Kansas, and it is unlikely that Leavenworth County will receive any sales tax revenue from the Sand Quarry. Mr. Kris Van Meteren pointed to a 2019 Market Study available on the Leavenworth County website that shows population and valuation growth in southern Leavenworth County. Mr. Van Meteren stated that approving this type of industrial use would "kill residential growth."

The economic impact of this project has simply not been addressed in terms of the benefit to Leavenworth County and the costs of road improvements and detrimental impact on

July 29, 2019 Page 9

southern Leavenworth County. At best, a \$25,000 increase in property taxes is minimal to the costs that are likely to be incurred by the County.

7. Conformance to the Comprehensive Plan.

The staff report notes that the Future Land Use Map indicates this area as Floodplain and industrial mining is a common use in floodplain areas along rivers. In April 2019, the Planning Department issued a press release seeking public engagement for a new Leavenworth County Comprehensive Plan. In the press release, the "goal of the plan" was noted as "to ensure Leavenworth County can continue to grow in a sustainable way that both fulfills the needs of its residents and preserves the integrity of its rural areas." In its Visioning Workshop Recap dated May 23, 2019, ideas such as "light industry that does not pollute or threaten the county's beauty," "secure agriculture zones," "preservation of open space," "rural community" and "rural/urban balance" were prevalent. Approval of this SUP on 224 acres at the entrance to southern Leavenworth County could be an unwanted statement that is contrary to the concepts that are being contemplated through the new comprehensive plan process.

8. Staff recommendation.

While staff recommended approval of the project, this alone should not be the determinative factor. Additional evidence was presented at the Planning Commission that was not addressed in the staff report. There were inconsistencies in the number of trucks estimated that were not addressed either in the staff report or at the Planning Commission hearing. The staff report also includes inconsistencies in the specific conditions of the SUP that will make enforcement difficult. For example, staff recommendation No. 16 states that applicant should adhere to the following memorandum, which includes six memorandum including one from Chuck Magaha, Emergency Management dated June 6, 2019. Staff recommendation No. 17 states that no signage is allowed in the right-of-way, yet the memorandum from Chuck Magaha noted that "[h]eavy train traffic is relevant in this area so caution needs to be warranted along 166th Street with drivers so signage might be a need." In addition, Mr. Spickelmier stated in his July 3, 2019 memorandum that he was "propos[ing] additional signage along the entire recommended route." Fencing was mentioned at the Planning Commission, but not included as a condition in the staff report. Therefore, it is not clear which recommendations are required and which are not, which will make enforcement of the SUP conditions difficult.

Conclusion

There were many more concerns raised at the Planning Commission that have been submitted in written statements that we urge you to review. There are too many questions left unanswered to approve this SUP, such as the following: Why has there been a fluctuation in the estimated tonnage of sand? What impact will the increase in traffic have on the route designed by the County staff? Why has the County not requested an independent traffic impact analysis for the suggested truck route? Have other jurisdictions (KDOT, Bonner Springs) impacted by additional truck traffic been made specifically aware of and approved the additional burden of truck traffic along the designated

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route? What improvements are necessary to make the roads safe for the additional truck traffic? What are the costs of the additional, initial road improvements? Who will pay for those initial improvements? What are the cost of annual maintenance caused by additional truck traffic and who will pay the annual maintenance? Who will monitor and ensure that trucks use only the route designated by County staff? Who will monitor the impact of the dredging on the water wells used by adjacent property owners? Who will monitor the noise levels on site and ensure that dust/silica is contained on site? What are the actual conditions of approval being requested by County staff of Kaw Valley, are they clearly outlined, and are they adequate to satisfy the overwhelming safety concerns and additional costs imposed by approval of the SUP? What are the actual benefits to the County in terms of additional property taxes, jobs, etc. if the SUP is approved? What impact will approval of the SUP have on the property values of adjacent property or the County's ability to attract residential development to the area? What will the property look like when the dredging is complete? Will there be sufficient water levels to sustain a "sizable lake" or will there be an open sand pit? Will Kaw Valley submit plans on the initial start-up phase for removing topsoil? What are the benefits to the County compared to the costs?

As you consider these questions and weigh each of the factors addressed above, we urge you to deny the SUP.

Very truly yours,

LEWIS RICE LLC

andrea G. Bout In:

Andrea G. Bough

cc: Mark Loughry, Leavenworth County Administrator (mloughry@leavenworthcounty.org)
David Van Parys, Leavenworth County Counselor (dvanparys.leavenworthcounty.org)
Mark and Tracy Tinberg

June 29, 2020

14439 Woodend Road Bonner Springs, KS 66012 (in Leavenworth County)

Chairman Smith Leavenworth County Commission 300 Walnut Street, Suite 225 Leavenworth, KS 66048

RF:

Lenape Sand Mine, SUP - DEV 19-008

Sand on Roadways

Chairman Smith:

Operation of a sand mine creates other ongoing maintenance issues besides direct damage to roadways. The matter of loose sand falling and blowing from transport trucks is a continual concern. The pictures contained within this letter illustrate the problem at two locations.

Most notable is the entrance onto K7 from 43rd Street in Shawnee used by the trucks hauling from the sand mining operations west of K7. These roadways are operated and maintained by two well-funded agencies, KDOT and City of Shawnee. If these agencies are unable to either enforce regulations or regularly clean-up the dangerous situation of loose sand being deposited in this high-speed intersection, what chance does Leavenworth County have to provide a safe roadway for residents?

K7 and 43rd St (looking SE) Sand about 1+" deep June 18, 2020 K7 and 43rd Street, West Side looking East Sand about ½" deep March 8, 2020



(Right) 43rd Street west of K7 Looking East Sand about 2" deep March 8, 2020 The roadway and entrance to Kaw Valley operations on Woodend Road in Edwardsville appear to have had some attention paid to keeping the public street clean, but the roads on private property are covered with sand, and you can see piles of sand that appear to have been swept off of the public street. Even so, the public street still has a significant accumulation of sand.

Kaw Valley Entrance and adjoining public street June 28, 2020





There are other similar circumstances associated with hauling sand on public roadways. Please consider the long-term effort and cost to the county and taxpayers of ensuring safe roadways for motorists as it does not appear to be a reasonable expectation to have this work regularly performed by others.

I respectfully request that this letter become part of the record for SUP DEV 19-08

Sincerely

Michael G. McDonald mgmlvks@aol.com

Copies of this letter provided to all Commissioners by name

• Copy of Chairman Smith's letter provided to County Counselor, Interim Planning Director and County Sheriff

Voth, Krystal

From: Loughry, Mark

Sent: Tuesday, June 30, 2020 8:22 PM

To: Voth, Krystal

Subject: Fwd: 771 page document from Planning

For the record

Begin forwarded message:

From: Nancy Carpenter <3carps@gmail.com> Date: June 30, 2020 at 7:11:59 PM CDT

To: "Loughry, Mark" <mloughry@leavenworthcounty.gov>, "Stieben, Mike"

<MStieben@leavenworthcounty.gov>, "Schimke, Chad" <CSchimke@leavenworthcounty.gov>, "Kaaz,
Vicky" <VKaaz@leavenworthcounty.gov>, "Culbertson, Jeff" <jeffc@leavenworthcounty.gov>, "Smith,

Doug" < DSmith@leavenworthcounty.gov>

Cc: "Van Parys, David" <DVanParys@leavenworthcounty.gov>

Subject: 771 page document from Planning

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good evening -

It won't surprise you that I have been studying the document provided by Krystal Voth in preparation for the July 8th Lenape Sand Quarry public hearing.

I noticed quite a bit of repetition in the public comments section. I thought you would be interested in knowing that after all the repeated letters and comments are removed, the document is now a mere 553 pages. One or two repeats would be understandable. I am curious why you tolerate, what I consider to be, such shoddy workmanship on the part of your staff?

Two more structural concerns within the document that struck me as particularly irritating are both referenced on page 10, condition 20. The narrative referenced is not a part of the 771 page document. The narrative within the pages is from March of 2019. To find the cited narrative, I had to dig back through previous documents. The June 28th Noise Study referenced is non-existent. There is a study dated June 25th.

You may think me a nag. So be it, but details matter. Kaw Valley's application is riddled with errors and inaccuracies. Quite honestly, in my opinion, the planning staff's document is not much better. I urge you to end this fiasco and reject the Lenape Sand Quarry proposal outright.

Nancy Carpenter 14681 Kreider Rd. Bonner Springs, KS 66012





Bonner Springs/Edwardsville Unified School District 204

Teaching today's learners for tomorrow's challenges

July 29, 2019 Leavenworth County Planning and Zoning Department

To Whom It May Concern:

I am writing to express the school district's concern over the proposed quarry on County Road 2.

We have a bus route in the area that picks up in the morning and has a drop off route in the afternoon. The large trucks traveling down a narrow two-lane road with little to no shoulder is going to be extremely dangerous, even more so during periods of inclement weather.

The proposed quarry poses a potential safety concern for our USD204 students and bus drivers. I would appreciate any additional information you have regarding this proposed development.

If I can be of further assistance, please feel free to give me a call.

Sincerely,

Dan Brungardt Superintendent

We have lived in Leavenworth County for over 40 years. My daughter also lives in this county and has gone to school in Basehor. Her daughter is currently attending the Basehor school district.

We are involved with fighting the county over the Special Use Permit for Kaw Valley Sands and Gravel to operate Lenape Sand Quarry near the bridge to DeSoto. This operation would bring large numbers of trucks weighing 80,000 lbs. onto our roadways. Kaw Valley has had 38 maintenance violations with the Department of transportation within the last 24 months for:

Inadequate brakes for safe stopping
Maladjusted/defective brakes
Defective steering system components
Broken/loose universal joints
Not securing loads properly

The direct route of their trucks is still undecided, however any of these routes will intersect with the Basehor and Bonner school buses. We have talked to several of the bus drivers and they have expressed concerns for the safety of your students riding their busses due to sand on the road, limited site roads and the problems they currently have with traffic not stopping when their lights are on and their signs are out. Some have even reported drivers passing their stopped busses on the right side where children enter and exit the busses.

In 2002 the Superintendent of your school wrote a letter expressing their concerns (copy enclosed) for the safety of their students on busses with a similar situation. We are asking for you to express your concerns by writing a similar letter to the Leavenworth County Planning and Planning with a copy to the Commissioners office and a blind copy to us. Thank you for looking out for the safety of your students.

Both of these entities are located at 300 Walnut Street in Leavenworth, KS 66048.

Voth, Krystal

From: Anthony Schmitt <freakyschmitt@gmail.com>

Sent: Friday, July 3, 2020 7:35 PM

To:Voth, KrystalCc:Loughry, MarkSubject:Dev19-008

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

We have read the latest version of the packet. Thank you for including our document in the packet in a timely manner. This means a lot to so many people.

Upon reading the packet, the amount of money spent on the Olsson study was an eye opener. Furthermore, staff recommends approval with some very stringent conditions.

Being involved with our document, it disturbs us to read this.

The public was not informed when you presented Olsson study to Kaw Valley, so we are not sure what time frame Kaw Valley had to look at this. Undoubtedly, they had ample time to see what would be required as far as the roads. So they do another study with KVE saying these roads are adequate with overlay for ten years. After spending over \$24,000 of OUR money! Why didn't you tell them to go fly a kite?

Kaw Valley's final proposal DOES NOT include road improvements or maintenance. Shouldn't staff's recommendation be to DENY their proposal? Then the next line could read staff might consider approval if the following conditions are met. HOW DO YOU APPROVE SOMETHING THAT IS NOT PROPOSED? If you can remember back to the very first proposal, Kaw Valley was going to be more than happy to upgrade these roads for this operation. What changed?

I've come to the conclusion I would be a terrible politician. If that document was handed to me from KVE, I would have ripped it up (Nancy Pelosi). We realize you must be worried about legal ramifications. If Kaw Valley were to sue LVCO over this special use permit, is it possible to counter sue for law expenses and cost accrued to do a proper road study? Maybe staff's wages spent working on this project also? Being apprehensive about "what they might do if we say no" is not a reason to say yes! Having the proper permits from government entities is not either. THIS IS A LEAVENWORTH COUNTY ISSUE.

We feel our county government has too many compromisers and too few people to take a stand for the county and it's citizens.

The roads may be the biggest reason this should be denied but not the only. It doesn't meet the golden rules.

Since you spent our money on the Olsson study, would you please recommend denial since they have no intention of compliance? That's what their proposal states.

This is exhausting!

Thank you, Tony & Stacey Schmitt

Please put this in public record.

Sent from Mail for Windows 10