



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
635 FEDERAL BUILDING
601 E 12TH STREET
KANSAS CITY MO 64106-2824

November 13, 2014

Regulatory Branch
(NWK-2014-00560)

Mr. Nicolas Jones
Jones Development Company, LLC.
4520 Madison, Suite 100
Kansas City, Missouri 64111

Dear Mr. Jones:

Permit No. NWK-2014-560 has been executed. One copy is enclosed for your records and one copy has been retained for our files. When you are ready to begin work, it is necessary that you contact Mr. Matthew Sailor, Project Manager, at (816) 389-3739.

This permit is hereby issued to Nicolas Jones, JDC Olathe, LLC (transferee) as indicated on page 3 of the permit document.

Special condition "a" of the permit requires you to sign and return the enclosed "Compliance Certification" upon completion of the authorized work and any required mitigation.

Additionally, Special conditions "b" and "d" of the permit document require you to complete the required compensatory mitigation, as specified in the Corps approved permittee-responsible mitigation plan submitted on September 22, 2014, within 6 months from the date of initiating the authorized work or 12 months from the effective date of your permit.

Sincerely,

David R. Hibbs
Regulatory Program Manager
Regulatory Branch

Enclosures

Copies Furnished (electronically w/enclosures):

U.S. 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

DEPARTMENT OF THE ARMY PERMIT

Permittee Jones Development Group, LLC.

Permit No. NWK-2014-00560

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 filling of 2,266 linear feet of ephemeral stream and 1.78 acres of palustrine emergent wetland during general site grading activities in order to construct a warehouse building for Federal Express. In addition to the warehouse, several attendant features will be constructed (parking pads [employee and fleet], utilities, detention basins, and landscaping) that will involve placing fill in waters of the United States during site preparation/grading activities. The applicant will completely avoid 0.30 acres of wetland and 472 linear foot of ephemeral stream. The applicant will minimize impacts by constructing wetland detention basins that will be planted with facultative and obligate indigenous wetland grasses and forbs. The construction of this development will be completed in accordance with the plans and drawing attached herein.

Permit Drawing(s): Location map (2), plan view (1), cross sections (2): Pages 1-5, dated 28 October 2014

Mitigation Drawing(s): Appendix I (2)

Project Location: In unnamed tributaries to Cedar Creek and their adjacent wetlands in Section 22, Township 14 South, Range 23 East, Olathe, Johnson County, Kansas. USGS 1:24K QUAD: Ocheltree-KS

(Latitude North: 38.82397, Longitude West: -94.84623)

Mitigation Site Location: Unnamed Tributary to Mill Creek in Section 7, Township 13 South, Range 23 East, Olathe, Johnson County, Kansas. USGS 1:24K QUAD: Ocheltree-KS

(Latitude North: 38.93970, Longitude West: -94.78978)

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on 31 December 2017. 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 sheet(s), page(s) 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).

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.

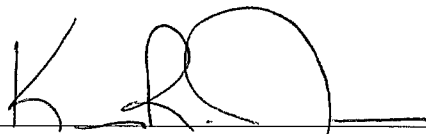
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- 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)


10-31-2014

 (DATE)

Kevin R. Jones, Manager

 (PRINTED NAME AND TITLE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



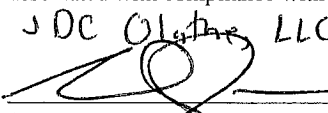
 (DISTRICT ENGINEER)
 ANDREW D. SEXTON, COLONEL

13 Nov. 2014

 (DATE)

BY: David R. Hibbs, Program Manager, Regulatory Branch, Kansas City District

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.



 (TRANSFereeE)

11-03-2014

 (DATE)

Nicholas Jones, Manager

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. The permittee shall complete the following mitigation objectives in accordance with the approved compensatory Mitigation Plan dated 22 September 2014 incorporated to this permit by reference and attached mitigation drawings (Appendix I):

1. Creation of 1.74 acres and enhancement of 0.08 acres of wetlands by re-grading a perennial stream's floodplain, removal of invasive exotic species, and the creation of micro-topographical features.

2. Establishment of hydrophytic vegetation within the newly created/enhanced wetland through the planting of native wetland dependent species.

3. Restoration of 929 linear feet perennial stream using stream-grade stabilization ((2)Newbury riffle segments), bank stabilization (2) and enhancement of riparian buffer. Restoration of 201 linear feet of one ephemeral stream by re-establishing natural contours. Restoration of 226 linear feet of one ephemeral stream by adding (2) grade control structures.

4. Establishment of a 200-foot wide riparian corridor for perennial stream 1 for a minimum of 8.53 acres of land enhanced through the removal of invasive exotic species and planting of native grasses, forbs and hardwood trees.

The above mitigation activities must be completed within 6 months from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs. The offsite compensatory mitigation areas shall be preserved in perpetuity in accordance with the Conservation Easement Special Condition of this permit.

c. The permittee shall avoid 0.30 acres of wetland and 472 feet of ephemeral stream located within the project area that were labeled "Do Not Disturb" on the Jurisdictional Impacts Exhibit (Permit Drawing Page 3). These natural stream and wetland areas were avoided as part of permit application review process and therefore shall not be disturbed by any excavating, filling, mechanized land clearing, agricultural activities, or other construction work whatsoever. The Corps reserves the right to deny review of any requests for future impacts to this natural stream area.

d. You must take all actions required within the Compensatory Mitigation Plan dated 22 September 2014. Your responsibility to complete the required compensatory mitigation, as set forth in this Special Condition, will not be considered fulfilled until you have demonstrated mitigation success and have received written verification from the U.S. Army Corps of Engineers.

e. 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.

f. 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.

g. 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.

h. 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.

i. 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.

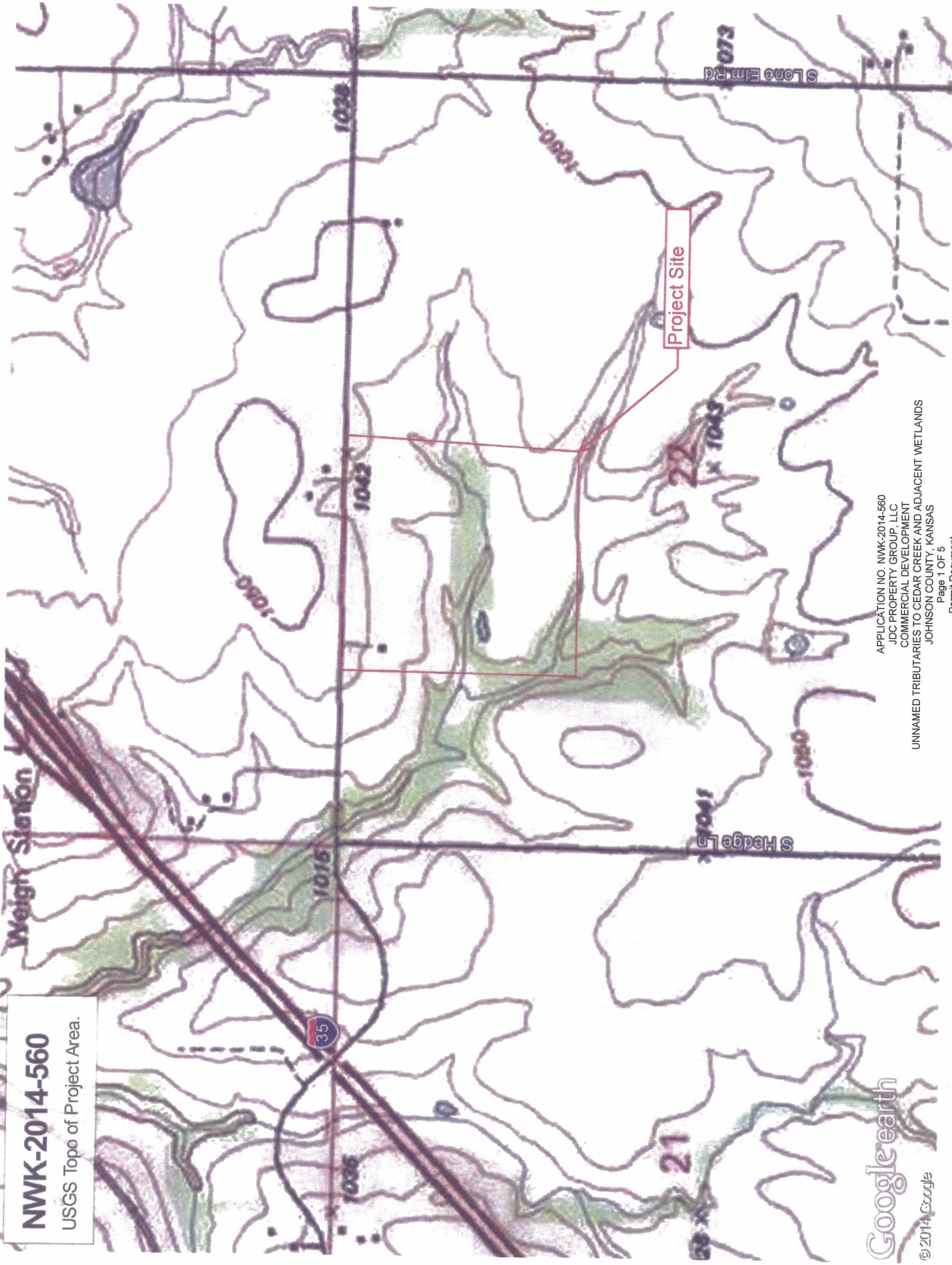
j. You must immediately remove and properly dispose of all debris during every phase of the project in order to prevent the accumulation of unsightly, deleterious and/or toxic materials in or near the water body.

k. 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.

l. You must store all construction materials, equipment, and/or petroleum products, when not in use, above anticipated high water levels.

m. 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.

n. Upon completion of earthwork operations, you must seed, replant or otherwise protect from erosion all fills in the water or on shore, and other areas on shore disturbed during construction. If seeding does not successfully vegetate the disturbed areas by the end of the first growing season, you must implement alternate measures, such as placing riprap, slope terracing with untreated railroad ties, gabions or concrete blocks, or additional vegetative plantings, to protect the disturbed areas from further erosion. You must contact the Kansas City District, Regulatory Branch prior to beginning work on any additional erosion control measures so that a determination can be made whether further authorization is required.



Project Site

Weigh Station

S Hedge Ln

S Long Elm Rd

NWK-2014-560

USGS Topo of Project Area.

Google earth

© 2014 Google

APPLICATION NO. NWK-2014-560
JDC PROPERTY GROUP, LLC
COMMERCIAL DEVELOPMENT
UNNAMED TRIBUTARIES TO CEDAR CREEK AND ADJACENT WETLANDS
JOHNSON COUNTY, KANSAS
Page 1 OF 5
Permit Document
28 October 2014



14S 23E

Site

022

APPLICATION NO. NWK-2014-560
JDC PROPERTY GROUP, LLC
COMMERCIAL DEVELOPMENT
UNNAMED TRIBUTARIES TO CEDAR CREEK AND ADJACENT WETLANDS
JOHNSON COUNTY, KANSAS
Page 2 OF 5
Permit Document
28 October 2014

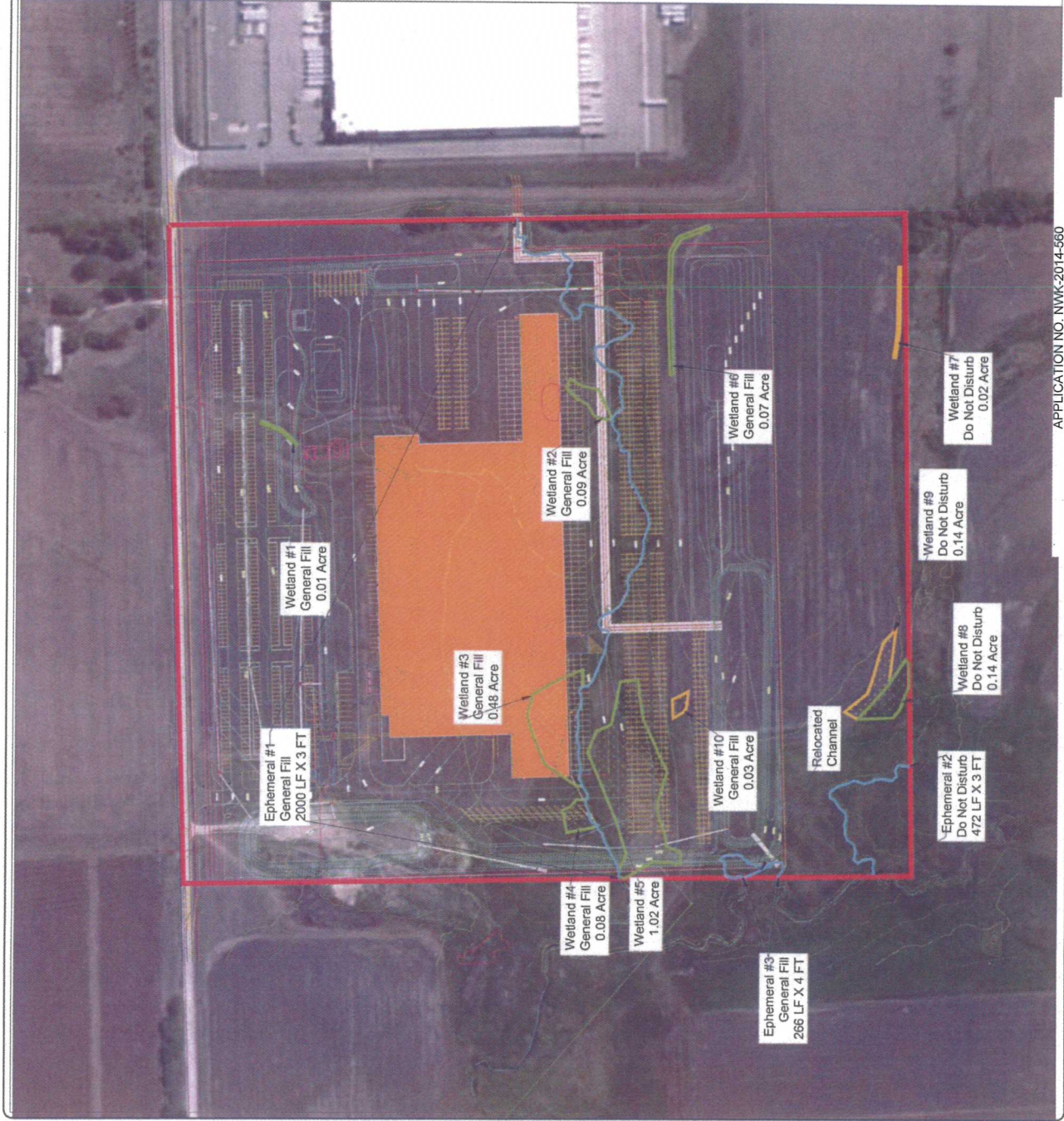
167th and Hedge
Development Parcel
Johnson County, Kansas



Jurisdictional Impact Exhibit

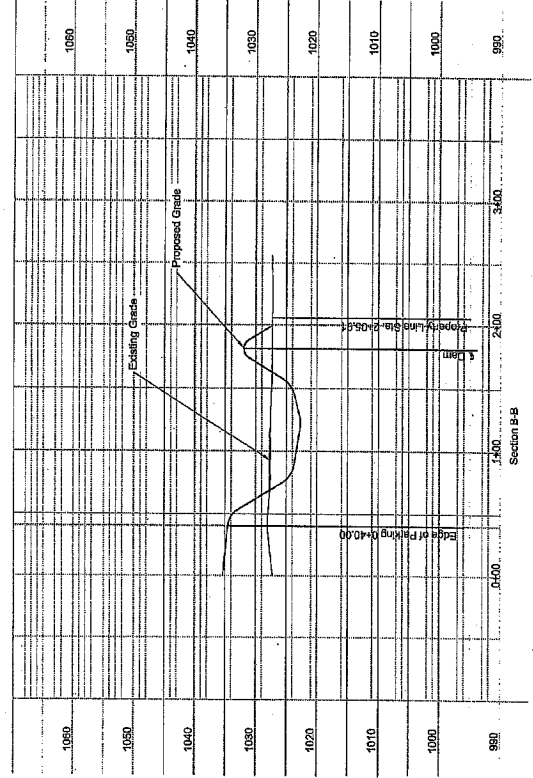
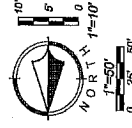
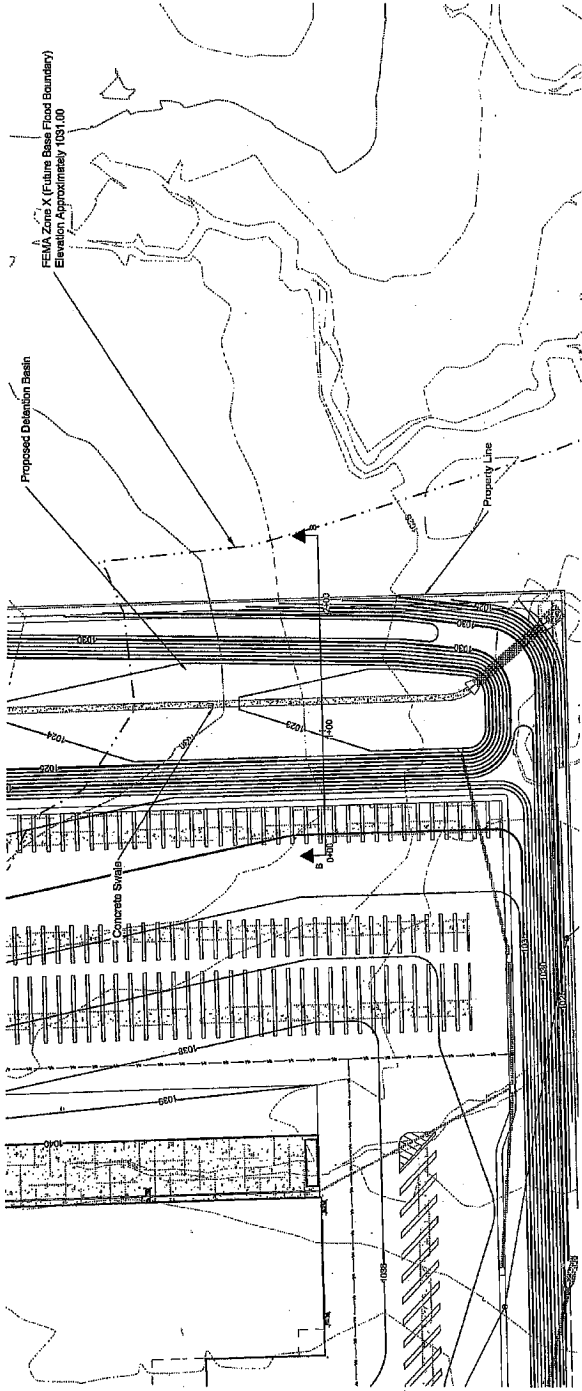
Jurisdictional Feature	General Fill		Do Not Disturb	
	Length	Width	Length	Width
Wetland #1	0.01			
Wetland #2	0.09			
Wetland #3	0.48			
Wetland #4	0.08			
Wetland #5	1.02			
Wetland #6	0.07			
Wetland #7			0.02	
Wetland #8			0.14	
Wetland #9			0.14	
Wetland #10		0.03		
Subtotal Wetland Impacts/Avoidance	1.78	3	0.30	
Ephemeral #1	2000		472	3
Ephemeral #2	266			4
Ephemeral #3				
Subtotal Ephemeral Impacts/Avoidance	2266		472	

Units are either linear feet or Acres

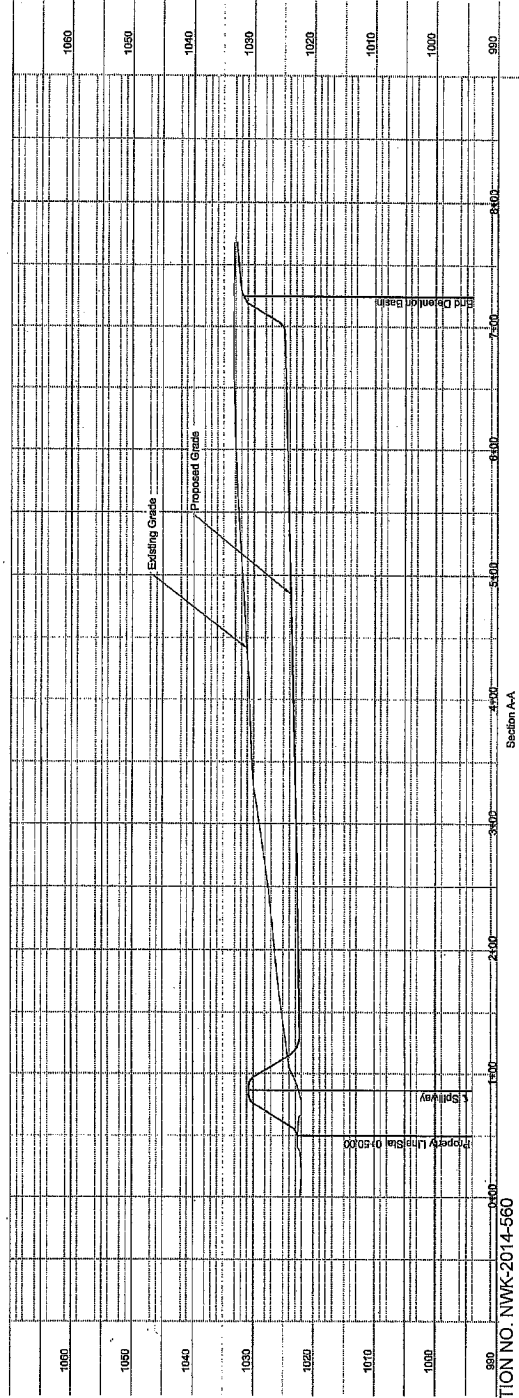
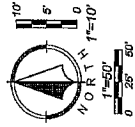
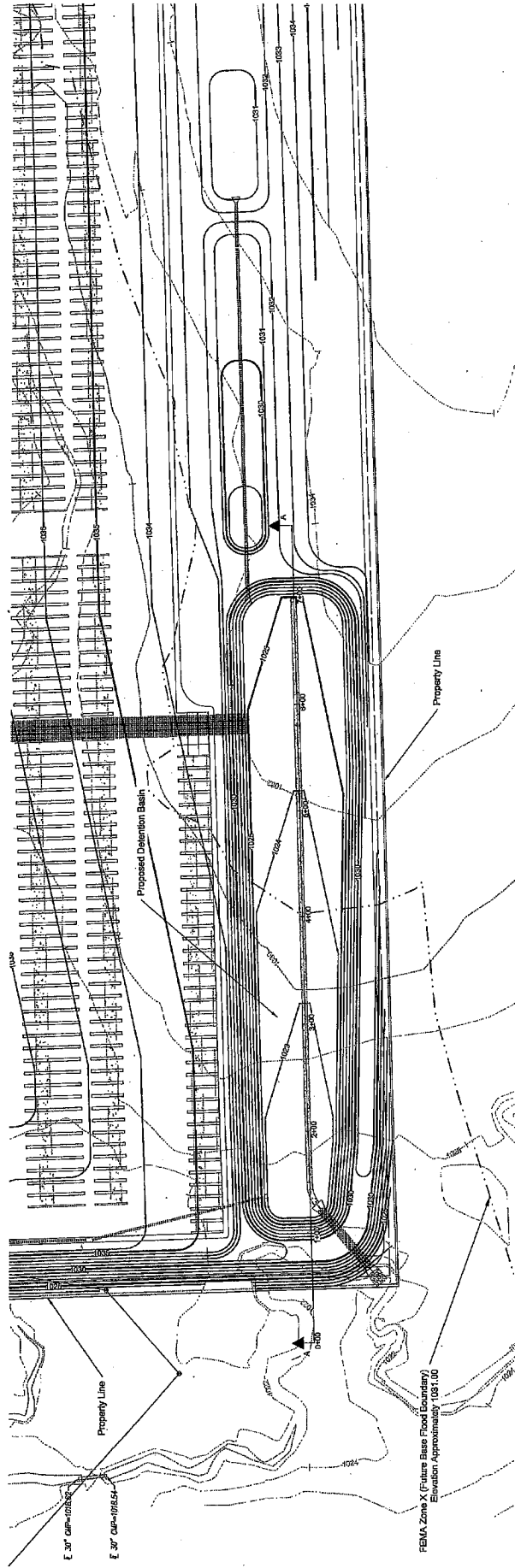


APPLICATION NO. NWK-2014-560
 JDC PROPERTY GROUP, LLC
 COMMERCIAL DEVELOPMENT
 UNNAMED TRIBUTARIES TO CEDAR CREEK AND ADJACENT WETLANDS
 JOHNSON COUNTY, KANSAS
 Page 3 OF 5
 Permit Document
 28 October 2014

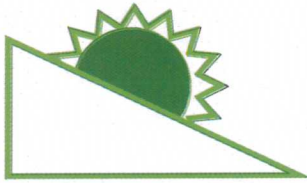
Grading Exhibit
 Detention Basin
 North-South Section



Grading Exhibit Detention Basin West-East Section



APPLICATION NO. NWK-2014-560
 JDC PROPERTY GROUP, LLC
 COMMERCIAL DEVELOPMENT
 UNNAMED TRIBUTARIES TO CEDAR CREEK AND ADJACENT WETLANDS
 JOHNSON COUNTY, KANSAS



TERRA TECHNOLOGIES

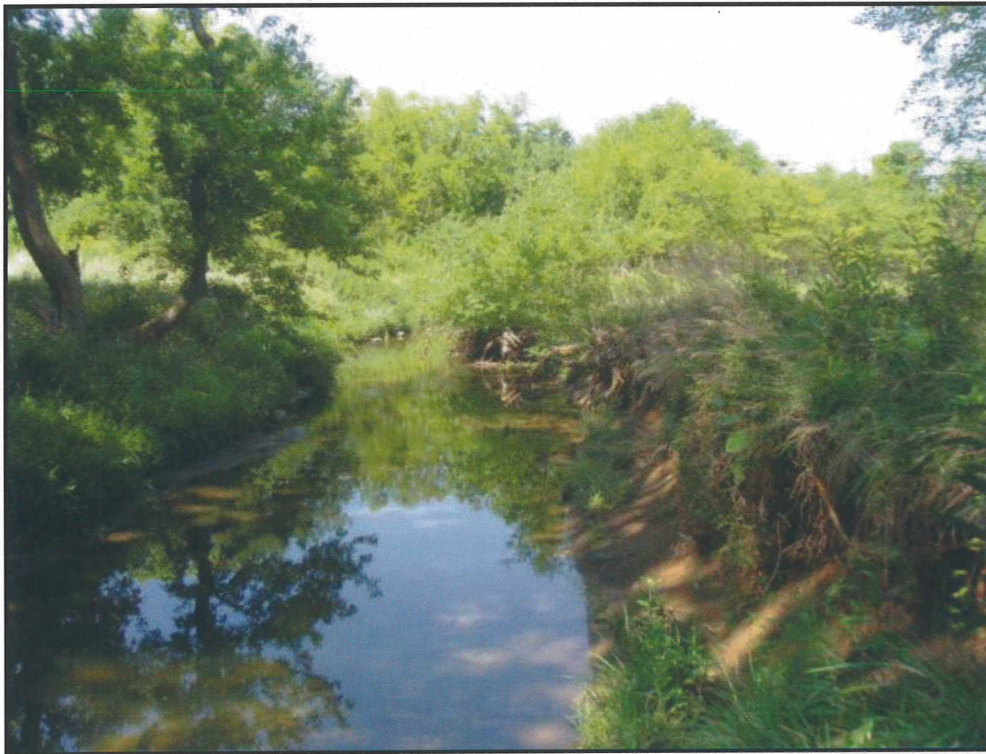
Engineers

Scientists

Permit Specialists

Federal Express Permittee-Provided Mitigation Site

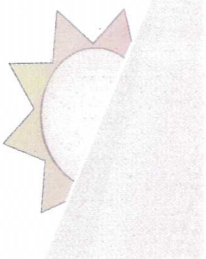
Mitigation Plan



Prepared for
Swallow Tail, LLC

September 2014

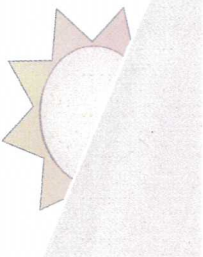
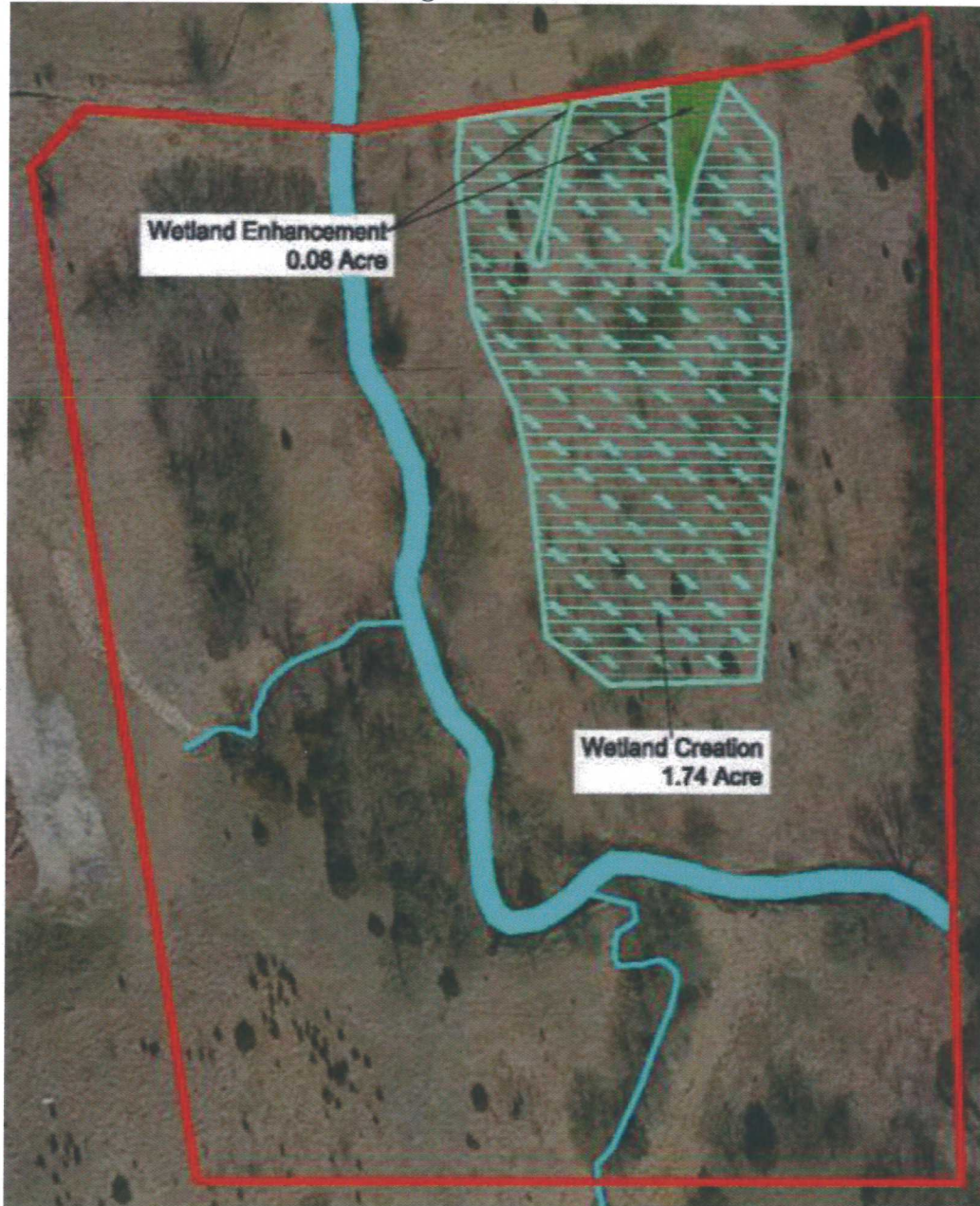
Image 1. Benefit Areas



2. Wetland Credits

As shown below in Image 2, a total of 1.74 acres of herbaceous wetlands will be established along with 0.08 acre of wetland enhancement. The wetland creation generates 1.74 acre of wetland credit and the wetland enhancement generates 0.04 acre of wetland credit for a combined total of 1.78 wetland credits. This meets the acreage needed to mitigate for the 1.78 acre of wetlands impacted.

Image 2. Wetland Areas



Bureau of Water
Watershed Management Section
1000 SW Jackson, Suite 420
Topeka, KS 66612-1367



Phone: 785-296-4195
Fax: 785-296-5509
nps@kdheks.gov
www.kdheks.gov/water

Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

October 17, 2014

Mr. Matthew C. Sailor
Regulatory Branch
U.S. Dept. Army Corps of Engineers
700 Federal Building
Kansas City, MO 64106-2896

RE: NWK-2014-560- Applicant: JDC Property Group, LLC, 4520 Madison Suite 100,
Kansas City, Missouri 64111

Dear Mr. Sailor:

On September 29, 2014, 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 July 3, 2014: "The applicant has proposed filling 2,266 linear feet (LF) of ephemeral stream and 1.78 acres (ac) of palustrine emergent wetland during general site grading activities in order to construct a warehouse building for Federal Express. In addition to the warehouse, several attendant features are proposed for construction (parking pads [employee and fleet], utilities, detention basins, and landscaping) that may involve placing fill in waters of the United States during site preparation/grading activities. The purpose of the project as stated by the applicant is to provide additional warehouse capacity adjacent to an existing Federal Express warehouse located east of the development site. The project is located on unnamed tributaries to Cedar Creek and their adjacent wetlands in Section 22, Township 14 South, Range 23 East, Olathe, Johnson County, Kansas. USGS 1:24K QUAD: Ocheltree-KS.

WETLANDS/AQUATIC HABITAT: The project site contains 10 palustrine emergent wetlands totaling 2.08 ac adjacent to 2,738 LF of 3 unnamed ephemeral streams, tributaries to Cedar Creek.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The applicant has proposed completely avoiding 0.30 ac of wetland and 472 LF of ephemeral stream. The applicant has also proposed to minimize impacts by constructing wetland detention basins that will be planted with facultative and obligate indigenous wetland grasses and forbs. Compensation for unavoidable wetland impacts will be provided through the purchase of 1.78 wetland mitigation credits from an approved mitigation bank. Compensation for unavoidable impacts to streams is proposed through the establishment of a new ephemeral stream and riparian corridor along the southern extent of developed parcel.

The KDHE has reviewed the project and outcomes and has determined the project has the following water pollutant discharge sources:

1. Construction and excavation activities including grading and filling, equipment and materials storage, equipment fueling and maintenance, etc.
2. Loss of wetlands.
3. Loss of riparian vegetation along stream channels.

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 Kansas Surface Water Register [KAR 28-16-28b(g)] does not document the unnamed tributaries to Cedar Creek impacted by the proposed project, therefore general water quality standards are applicable. Furthermore, the ephemeral channel and wetlands, are considered "surface waters of the state (per K.A.R.28-16-28b(ggg))", and therefore still need some level of pollution protection under the general provisions, i.e. [KAR 28-16-28e(b)], below.

Pursuant to Section 401 and KAR 28-16-28(c) the Kansas Department of Health and Environment finds this project, including the selected mitigation area, will not result in a violation of Kansas Water Quality Standards herewith issues a Water Quality Certification for execution and subsequent operation of the project subject to the following conditions:

1. A copy of this water quality certification shall be posted on site during construction.
2. The JDC Property Group, LLC, shall avoid or control the discharge of suspended solids from construction activities, abandoned right-of-way, wetland filling, removal of riparian vegetation and road surface runoff so that the project does not cause:
 - a. Construction 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. The JDC Property Group, LLC 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 made available for review by KDHE BOW IP upon request.
 - 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)].


3. JDC Property Group, LLC shall avoid or control the discharge of toxic substances, oil and grease and other fluids from construction activities, abandoned right-of-way, and road surface runoff 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 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 semiaquatic 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 semiaquatic life or terrestrial wildlife or that result in noticeable odors in the vicinity [KAR 28-16-28e(b)(7)].
4. JDC Property Group, LLC shall avoid or control the discharge of plant nutrients from construction activities, wetland removal, removal of permanent riparian vegetation, abandoned right-of-way, and road surface runoff 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)].
5. The increase in impervious surface through construction of parking lots, roof tops, etc., will increase velocity destabilizing the receiving unnamed tributary thus increasing sedimentation downstream. Pervious pavement, pervious pavers, underground rain water catchments and any type of velocity reduction mechanism are strongly recommended.
6. The JDC Property Group, LLC shall prepare a written project water quality protection plan describing the actions that will be taken to comply with Certification Conditions 2, 3, 4 and 5. **This condition may be waived depending on the content of the “stormwater pollution prevention plan” prepared pursuant to condition pursuant to condition 2 a. above.** The stormwater pollution prevention plan should specifically address the following items:

- a. **Riparian Areas:** Minimize removal or disturbance of riparian areas (areas adjacent to water bodies). KDHE encourages the use of vegetation consistent with adjoining vegetation materials to minimize impacts from improper handling of fertilizers and pesticides.
 - b. **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.
 - c. **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.
 - d. **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.**
 - e. **Floating Debris:** The applicant shall take appropriate measures to capture any floating debris released to surface waters as a result of this project.
7. This certification does not relieve the JDC Property Group, LLC of the responsibility for any discharge into waters of the state. The Kansas Department of Health and Environment retains the option of revoking 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.
 8. If the applicant believes the conditions of this certification will result in impairment of important social and economic development, the applicant is advised of the variance provisions of KAR 28-16-28b(jjj) and KAR 28-16-28f(e).

Mr. Sailor (PN 2014-560)
October 17, 2014
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Questions concerning this certification may be directed to Mr. Scott Satterthwaite, 785-296-5573.

Sincerely,



Scott L. Satterthwaite, M.S.
Non-point Source Pollution Control Specialist
Bureau of Water-Watershed Management Section

ec: KDHE NEDO- Rowlands,
KDHE Central Office-Stiles, Hook

COMPLIANCE CERTIFICATION

Special condition "a" of this permit document requires that you submit a signed certification regarding the completed work and any required mitigation. This certification page satisfies this condition if it is provided to the Kansas City District at the address shown at the bottom of this page upon completion of the project.

APPLICATION NUMBER: NWK-2014-00560

APPLICANT: Jones Development Company, LLC., 4520 Madison Suite 100, Kansas City, Missouri 64111

PROJECT LOCATION: Unnamed Tributaries to Cedar Creek and their adjacent wetlands in Section 22, Township 14 South, Range 23 East, Olathe, Johnson County, Kansas

- a. I certify that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions.
- b. I certify that any required mitigation was completed in accordance with the permit conditions.
- c. Your signature below, as permittee, indicates that you have completed the authorized project as certified in paragraphs a and b above.

(PERMITTEE)

(DATE)

Return this certification to:

U.S. Army Corps of Engineers
Kansas City District, OD-R
601 East 12th Street, Suite 402
Kansas City, MO 64106-2824