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January 16, 2015

City of Lawrence  
Attn: Melinda Harger, Engineer and Project Manager

VIA EMAIL: mharger@lawrenceks.org

Re: Permit #NWK-01230  
APPLICANT: City of Lawrence, Roadway Project to the new sewer plant

**Acceptance of Responsibility Agreement**

**(Expires in 30 days if not accepted evidenced by the applicant's signature and delivery to WLT or if rescinded by WLT prior to acceptance by applicant)**

Dear Ms. Harger,

I am in receipt of the letter by the Department of the Army, Kansas City District, U.S. Corps of Engineers (USACE) Regulatory Branch dated 12/10/14 setting forth the mitigation requirements relating to the above permit. According to USACE, the project description is as follows:

PROJECT LOCATION : Sec. 20 and 21, TWP 13 S; R 20 E; in the City of Lawrence, Douglas County, Kansas

The applicant is proposing to construct a roadway, curb, and storm sewer affecting ditches that resemble wetlands with similar characteristics.

One of the special conditions applying to this permit is that the use of an in lieu fee mitigation agreement is approved for the mitigation of impacts associated with this project. If the in lieu fee option is pursued with the Watershed Land Trust, Inc (WLT), the City must submit written verification that you have reached an agreement prior to the commencement of work within the jurisdictional waters of the U.S. Specifically:

You must purchase **.85 wetland Credits** from an approved **in-lieu fee program** in the service area of the project. The current approved in-lieu fee program(s) available for mitigation credit purchase are: **Watershed Land Trust.**



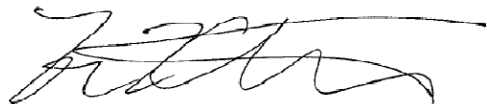
The WLT has an agreement with USACE to establish an In Lieu Fee Aquatic Resource Mitigation Program for the state of Kansas. Pursuant to that agreement, the WLT has provided a Kansas Aquatic Resources Trust Fund cost proposal that has been accepted by your firm/client. As such, pursuant to that cost proposal and pursuant to the agreement to establish an In Lieu Fee Aquatic Resource Mitigation Program for the state of Kansas, it is necessary that the City provide the funding as agreed. Upon receipt of said funding the WLT will issue a letter of acknowledgement that said funding has been received and that said mitigation obligation pursuant to the in lieu fee program has been extinguished. From that point forward, the WLT will accept responsibility for the outlined mitigation requirements for .85 wetland Credits at \$75,000/credit to the in lieu fee program with USACE.

As such, please forward the nonrefundable sum of \$63,750 for the purchase of .85 wetland Credits made payable to the KANSAS AQUATIC RESOURCES TRUST FUND along with a signed copy of this letter to the following mailing address:

Watershed Land Trust, Inc  
Attn: Frank Austenfeld, Executive Director  
140 Cherry Hill Dr.  
Belton, MO 64012

Upon receipt we will forward the necessary confirmation to your firm and a copy to USACE. Should you have any questions, please feel free to contact the undersigned.

Sincerely,



Frank L. Austenfeld,  
Executive Director

Agreed:

City of Lawrence, Kansas

By: \_\_\_\_\_

Printed name

Title: \_\_\_\_\_

