



Reply to
Attention of:

DEPARTMENT OF THE ARMY
NORTHWESTERN DIVISION, CORPS OF ENGINEERS
KANSAS CITY DISTRICT
601 EAST 12TH STREET
KANSAS CITY, MISSOURI 97208-2870

JUL 21 2011

Geotechnical Design and Dam Safety Section
Geotechnical Branch

Subject: City of Lawrence
North Lawrence Unit
Preliminary Plan, North Mass Mixed Use Development
North Lawrence Levee Unit, Stations 304+00 to 328+00
COE Job No. 2011-96

Mr. Chuck Soules
Director of Public Works
City of Lawrence
P.O. Box 708
Lawrence, Kansas 66044-0708

Dear Mr. Soules:

Reference is made to your May 10, 2011, letter concerning a conceptual plan for a development adjacent to the levee. Your letter requested a review by this office of a proposed development in its conceptual stage. Specifically, the letter asks if the land adjacent to the levee can be developed; and, if so, what is the process to obtain Corps of Engineers' approval to transfer ownership of land to a developer. The May 10, 2011, letter was reviewed and our initial response was provided to Mr. Matt Bond of your office. This letter dated, June 7, 2011, is enclosed.

On June 23, 2011, the Corps attended a meeting at the request of Mr. Matt Bond. This meeting provided clarification of the design/construction intent in the critical zone of the levee between Station 304+00 to Station 327+00. The conceptual drawings of the proposed development show a portion of the development within the existing levee right-of-way. It is required that the City retain ownership of all needed right-of-way to allow for operation, maintenance, and flood fight operations.

Conceptually, the Corps would have no objection to the proposed work provided that an adequate right-of-way agreement be developed and coordinated with the contractor to allow for operations, maintenance and flood fight activities. Corps' guidance located at http://www.nwk.army.mil//local_protection/guidance.html is to remain in effect. All proposed

construction activities are to be designed in accordance with the guidance. All revisions to the levee design are to be reviewed and approved by the Corps.

If there are any questions, please contact Mr. Scott Loehr at 816-389-3601.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Mathews". The signature is fluid and cursive, with the first name "David" and last name "Mathews" clearly distinguishable.

David L. Mathews
Chief, Geotechnical Branch

Enclosure



Reply to
Attention of:

DEPARTMENT OF THE ARMY
NORTHWESTERN DIVISION, CORPS OF ENGINEERS
KANSAS CITY DISTRICT
601 EAST 12TH STREET
KANSAS CITY, MISSOURI 97208-2870

JUN 7 2011

Geotechnical Design and Dam Safety Section
Geotechnical Branch

Subject: City of Lawrence
North Lawrence Unit
Preliminary Plan, North Mass Mixed Use Development
North Lawrence Levee Unit, Stations 304+00 to 328+00
COE Job No. 2011-96

Mr. Matt Bond, P.E.
Storm Water Engineer
City of Lawrence
P.O. Box 708
Lawrence, Kansas 66044-0708

Dear Mr. Bond:

Reference is made to your May 10, 2011, letter concerning a conceptual plan for a development adjacent to the levee. Your letter requested a review by this office of a proposed development in its conceptual stage. Specifically, the letter asks if the land adjacent to the levee can be developed, and if so what is the process to obtain Corps of Engineer's approval to transfer ownership of land to a developer.

The conceptual drawings of the proposed development show a portion of the development within the existing levee right-of-way. It is required that the City retain ownership of this right-of-way to allow for operations and maintenance. This would require shifting the proposed development completely outside of the existing levee right-of-way.

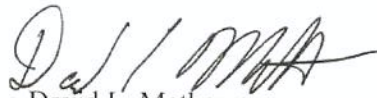
In response to your second question, as long as the property to be sold/transferred is outside of the existing levee right-of-way the Corps would have no involvement in the transfer of City property.

Requirements to enable the Corps to perform a technical review have previously been provided in the letter dated March 25, 2011. As noted in the City's May 10, 2011 letter, the project is currently conceptual only.

ENCL

If there are any questions, please contact Mr. Jim Mehnert at 816-389-3538.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Mathews', written in a cursive style.

David L. Mathews
Chief, Geotechnical Branch

Enclosure

Mehnert, James F NWK

From: Loehr, Scott A NWK
Sent: Wednesday, June 01, 2011 12:42 PM
To: Mehnert, James F NWK
Subject: FW: City of Lawrence Levee (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

For your evaluation and use in the letter - thanks for your support.

-----Original Message-----

From: Lewman, Melissa E NWK
Sent: Thursday, May 12, 2011 3:26 PM
To: Loehr, Scott A NWK
Cc: Mueller, W Karl NWK; Richardson, Patty L NWK
Subject: City of Lawrence Levee (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Scott,

Please find below the Corps Real Estate response to the city of Lawrence. If you need further information please let me know. Also, who do I need to return the information you provided?

A review of the correspondence and plans provided by the City of Lawrence, Kansas was completed, in response to a request for Real Estate ROW information in a letter dated 10 May 2011. Current, as well as past research and conversations about the ROW around the City of Lawrence Levee have resulted in the opinion there are no Corps of Engineer Real Estate requirements.

Addressing the first matter, concerning Real Estate, there are no Corps requirements for the City to keep ROW beyond what is necessary for the operation and maintenance of a levee. The second question, requesting the process for approval to transfer ownership, the Corps has no real estate jurisdiction in any transfer of City property. As long as the property to be transferred/sold is beyond the necessary ROW for O & M, the Army Corps of Engineers Real Estate does not need to be involved in any such transfer of property.

Melissa Lewman
Realty Specialist
U.S. Army Corps of Engineers
Kansas City District
Real Estate Division, RM 0616
601 E. 12th Street
Kansas City, Missouri 64106
816-389-3042

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE