



**SHADY SHORES TOWN COUNCIL
REGULAR SESSION
AUGUST 10, 2020; 7:00 PM
VIRTUAL MEETING
SHADY SHORES, TX 76208**

THIS WILL BE A VIRTUAL MEETING TOWN HALL WILL NOT BE OPEN. PARTICIPANTS ARE ENCOURAGED TO ATTEND BY COMPUTER OR PHONE USING THE INFORMATION BELOW TO JOIN

**Topic: Shady Shores Town Council
Time: Aug 10, 2020 07:00 PM Central Time (US and Canada)**

**Join Zoom Meeting
<https://us02web.zoom.us/j/87378292599?pwd=cm82NFd0SGMwNDRwUTVYaFhKbzR2dz09>**

**Meeting ID: 873 7829 2599
Passcode: 674348
One tap mobile
+13462487799,,87378292599#,,,,,0#,,674348# US (Houston)**

CALL TO ORDER

ROLL CALL

Establish a quorum.

PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Animal Control
2. Code Enforcement
3. Planning and Zoning Commission Report
4. Police Department
5. Fire Department
6. Staff Report
7. Roads, Drainage, Capital Improvements

8. Announcements

- 1) Public Hearing on the Budget 8/19
- 2) Public Hearing on Tax Rate and Adoption of Tax Rate and Budget 9/14
- 3) Town Hall Closed 9/7 Labor Day

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

9. Minutes- Consider and act on approval of the minutes of the July 13, 2020 Shady Shores Town Council meeting.
10. Span Contract 2020-21- Consider and act on approval of a contract with Span for transportation services.
11. Traffic Control Signs- Consider and act on an Ordinance amending Ordinances No. 75 and 257 to provide a comprehensive list of intersections within the Town of Shady Shores with traffic control adding additional stop signs listed on Exhibit A.

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

REGULAR AGENDA ITEMS

12. Public Hearing- Conduct a public hearing relative to a request for a zoning change made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

- A) Open Public Hearing
- B) Applicant
- C) Those in favor
- D) Those opposed
- E) Rebuttal
- F) Close Public Hearing

13. Spencer Replat/Zoning Change Request- Consider and act on an application for a zoning change by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

14. Public Hearing- Conduct a public hearing relative to a request for replat made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

- A) Open Public Hearing
- B) Applicant
- C) Those in favor
- D) Those opposed
- E) Rebuttal
- F) Close Public Hearing

15. Spencer Replat/Zoning Change Request- Consider and act on an application for a replat made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

16. Public Hearing- Conduct a public hearing relative to approval of a final plat for Hidden Valley Airpark Phase VI.

- A) Open Public Hearing
- B) Applicant
- C) Those in favor
- D) Those Opposed
- E) Rebuttal, if desired
- F) Close Public Hearing

17. Hidden Valley Phase VI- Consider and act on approval of a final plat for Hidden Valley Airpark Phase VI

18. Budget Worksession- conduct a work session relative to the 2021 Fiscal Year Budget.

19. 2020 Property Tax Rate- Consider and act on approval of a proposed tax rate. Consider and act on setting the date for public hearing on the tax rate.

20. Pending and Contemplated Litigation - consider and act on pending and contemplated litigation regarding the existing municipal court cases styled "State of Texas versus Douglas Taft

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, The Town Council may hold a closed meeting.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Cindy Aughinbaugh, Mayor of the Town of Shady Shores do hereby certify that the above notice of the Regular Town Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on _____ Day of _____ 2020, at _____ .M.

Cindy Aughinbaugh, Mayor

Address	Notes	Code
Jul 30, 2020 5:05 PM 335 lakeshore dr	we picked up a dead armadillo from this location	Animal Control
Jul 30, 2020 4:53 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals.	Animal Control
Jul 28, 2020 12:48 PM 651 lakeshore	we picked up two contained stray dogs from this location	Animal Control
Jul 22, 2020 2:11 PM 18 TERRA EVERGREEN DR	we responded to the address, there was no barking taking place for the 20 minutes i was on scene.	Animal Control
Jul 22, 2020 12:39 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals.	Animal Control
Jul 21, 2020 4:10 PM 18 TERRA EVERGREEN DR	We were contacted via email about this address and a ongoing issue with barking dogs.	Animal Control

Address	Notes	Code
Jul 18, 2020 12:58 PM area of franks cir and smokey ln	we responded to a report of two loose dogs in the area	Animal Control
Jul 16, 2020 8:55 AM 1130 durango circle	Patrolled city focusing on stray animals.	Animal Control
Jul 9, 2020 5:50 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals.	Animal Control
Jul 3, 2020 4:32 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals.	Animal Control

Case Summary Report

8/7/2020

Case Information for Years 2020 - 2020

2020

Violations	Jul	Totals
Failure to Obtain a Building Permit	6	6
Parking Violation	4	4
Trash and Debris	1	1
Totals	11	11



CORINTH POLICE DEPARTMENT

Shady Shores



June 2020 Summary

OFFENSES

OFFENSES	
ASSAULTS	
Misdemeanor	0
Felony	0
FAMILY VIOLENCE ASSAULTS	
Misdemeanor	2
Felony	0
SEXUAL OFFENSES	
Total Sexual Offenses	0
DEATH - CRIMINAL (Homicide / Manslaughter)	
Total Criminal Deaths	0
MOTOR VEHICLE THEFTS	
Total Motor Vehicle Thefts	0
BURGLARY	
Residential	0
Motor Vehicle	1
Business / Construction	0
THEFT	
General / Shoplifting	0
Credit Card Fraud/Abuse	2
Theft by Deception	1
ROBBERY	
Individual	0
Business	0
CRIMINAL MISCHIEF	
Vandalism / Graffiti	2
ALCOHOL RELATED	
Driving While Intoxicated	0
Driving Under Influence - Minor	0
Public Intoxication	1
Other Alcohol Related	0
DRUG RELATED	
Possession of Drugs	0
Poss of Drug Paraphernalia	0
Manuf./ Delivery of Drugs	0
TOTAL REPORTED OFFENSES	9

ACTIVITIES

ACTIVITIES	
CALLS FOR SERVICE	
Total Calls for Service	136
COMMUNITY POLICING	
Vacation Watches	43
VIPS-Vacation Watches	
VIPS-Special Patrol	
Direct Patrol / Park and Walk	169
ARRESTS	
Juvenile	1
Adult	4
Total Arrests	5
INVESTIGATIONS	
New Cases	10
Cases Cleared	5
Cases Declared Inactive	0
Cases Filed	5
TRAFFIC ENFORCEMENT	
Total Citations	18
Warnings	15
Total Citations / Warnings	33
MOTOR VEHICLE ACCIDENTS	
Offense Related	0
Traffic Accidents - Injury	0
Traffic Accidents - No Injury	0
Total Accidents	0
FALSE ALARMS	
False Alarms	2
JUVENILE CURFEW ENFORCEMENT	
Citations	0
Arrests	0
OFFICER CONDUCT	
Commendations Received	5
Complaints Received	3
Complaints Substantiated/Sustained	0
Complaints Unsubstantiated / Not Sustained	0



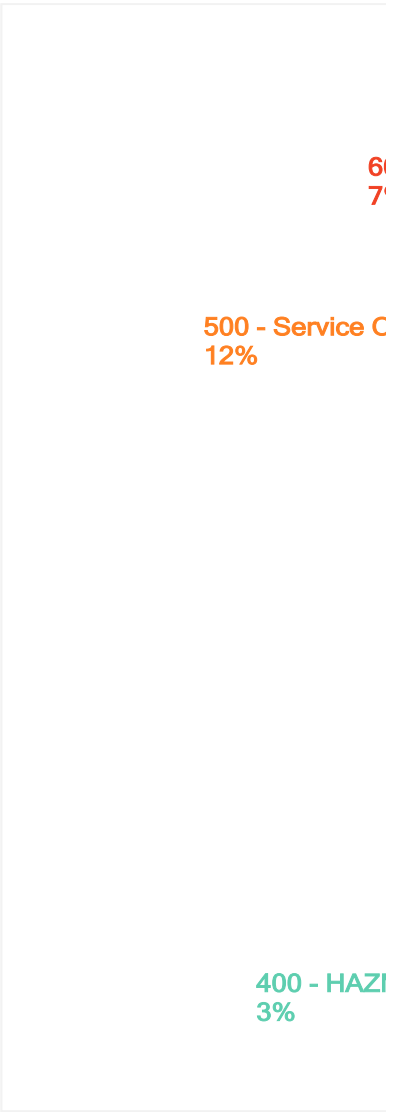
Lake Cities Fire Department

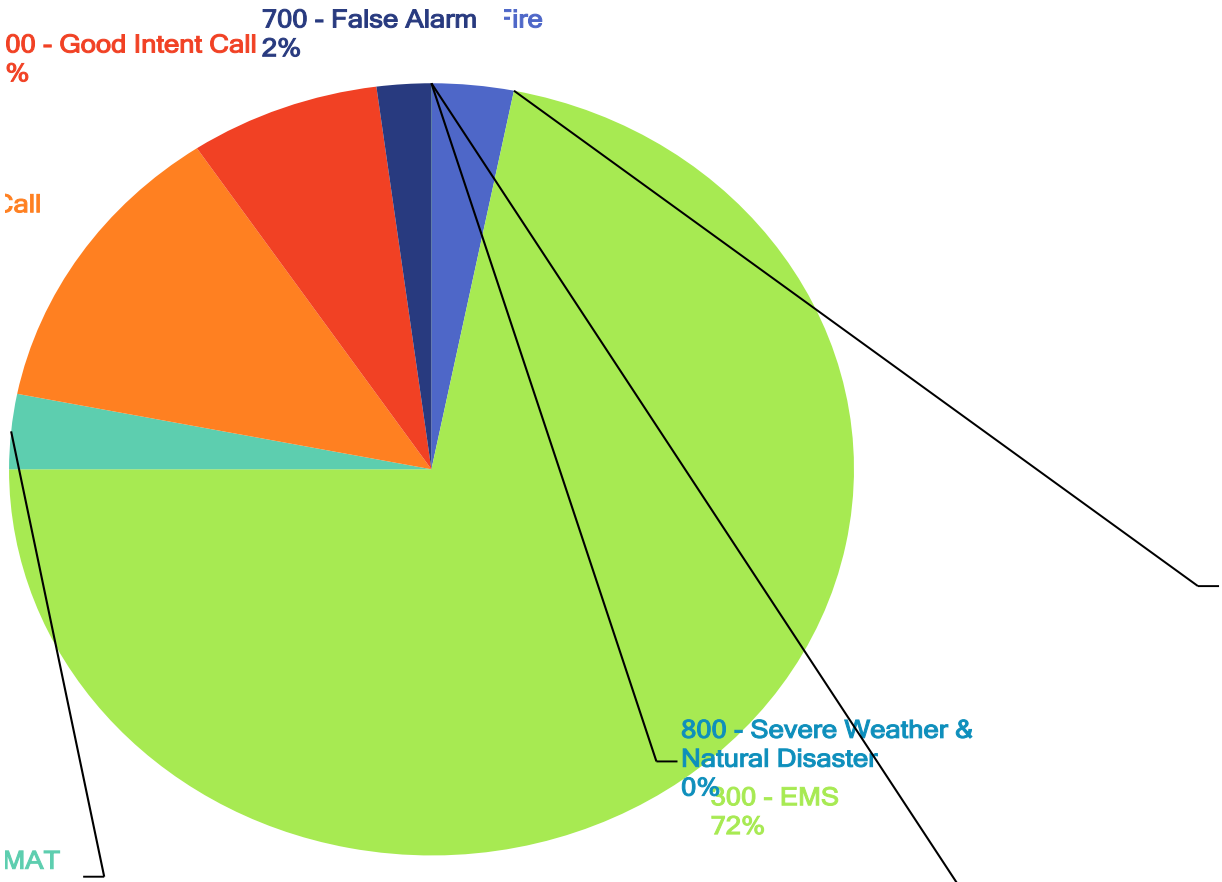
Shady Shores

January - December 31, 2020

Incident Call Type	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Alarm system activation, no fire - unintentional				1									1
Alarm system sounded due to malfunction				1									1
Animal rescue													0
Arcing, shorted electrical equipment			2	1									3
Assist Police or other agency						1	1						2
Assist invalid		1					3						4
Authorized controlled burning	4	3	3		5	4	3						22
Brush or brush-and-grass mixture fire													0
Building fire			1										1
Carbon monoxide incident													0
Carbon Monoxide detector No CO						1							1
Citizen complaint													0
Chimney Fire Contained to Chimney													0
Cooking Fire Confined to Container													0
Dispatched & cancelled en route	1				1								2
Electrical wiring/equipment problem, Other													0
Elevator Rescue													0
Emergency medical service, other					1								1
EMS call, excluding vehicle accident with injury	5	5	6	5	5	11	10						47
False alarm or false call, Other						1							1
Fire in mobile home used as fixed residence													0
Fire in motor home, camper, RV													0
Flood assessment													0
Gas leak (natural gas or LPG)		1		2									3
Good intent call, Other													0
Grass fire													0
HazMat release investigation w/no Hazmat													0
Hazardous Condition (No Fire)					1								1
Lock-out	1			1		1							3
Motor vehicle accident with injuries													0
Motor Vehicle Accident with no injuries													0
Motor Vehicle/Pedestrian Accident													0
No Incident found on arrival at dispatch address													0
Outside trash or waste fire													0
Outside equipment fire													0
Outside Storage Fire													0
Passenger Vehicle Fire													0
Person in Distress													0
Police matter													0
Power line down				2		1							3
Public Education	1												1
Public service				2	1								3
Rescue or EMS Standby					1								1
Rescue, water													0
Service Call, Other													0
Severe weather or natural disaster, Other													0
Smoke detector activation, no fire			1										1
Smoke/Heat detector activation due to malfunction													0
Smoke from barbecue, tar kettle													0
Smoke or odor removal													0
Smoke scare, odor of smoke													0
Sprinkler activation, no fire													0
System malfunction, Other													0
Unauthorized burning			1	2									3
Unintentional transmission of alarm, Other													0
Water or steam leak													0
Total	12	10	14	17	15	20	17	0	0	0	0	0	105

100 - Fire	200 - Overp	300 - EMS	400 - HAZM	500 - Servic	600 - Good	700 - False	800 - Sever	900 - Specia
3.13%	0.00%	71.88%	3.13%	12.50%	7.29%	2.08%	0.00%	0.00%





Shady Shores Call Statistics June 2020

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Incident Date between 2020-07-01

and 2020-07-31

Incident Date	Incident Number	NFIRS Number	Incident Type Code	Incident Type	District	Status
7/1/2020	20001667	0000467	132	Road freight or transport vehicle fire	Corinth	1
7/1/2020	20001668	0000468	554	Assist invalid	Denton County	1
7/1/2020	20001669	0000469	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/1/2020	20001670	0000470	463	Vehicle accident, general cleanup	Corinth	1
7/1/2020	20001671	0000471	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/1/2020	20001672	0000472	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/1/2020	20001673	0000473	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/1/2020	20001674	0000474	322	Motor vehicle accident with injuries	Denton County	1
7/1/2020	20001675	0000475	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/1/2020	20001676	0000476	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/1/2020	20001677	0000477	622	No incident found on arrival at dispatch address	Corinth	1
7/1/2020	20001678	0000478	324	Motor vehicle accident with no injuries.	Corinth	1
7/1/2020	20001679	0000479	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/1/2020	20001680	0000480	511	Lock-out	Lake Dallas	1
7/1/2020	20001681	0000481	162	Outside equipment fire	Corinth	1
7/2/2020	20001682	0000482	554	Assist invalid	Corinth	1
7/2/2020	20001683	0000483	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/2/2020	20001684	0000484	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001685	0000485	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/2/2020	20001686	0000486	445	Arcing, shorted electrical equipment	Corinth	1
7/2/2020	20001687	0000487	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001688	0000488	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/2/2020	20001689	0000489	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001690	0000490	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/2/2020	20001691	0000491	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001692	0000492	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/2/2020	20001693	0000493	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001694	0000494	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/2/2020	20001695	0000495	324	Motor vehicle accident with no injuries.	Lake Dallas	1
7/2/2020	20001696	0000496	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/3/2020	20001697	0000497	554	Assist invalid	Shady Shores	1
7/3/2020	20001698	0000498	554	Assist invalid	Hickory Creek	1
7/3/2020	20001699	0000499	733	Smoke detector activation due to malfunction	Hickory Creek	1

7/3/2020	20001700	0000500	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/3/2020	20001701	0000501	554	Assist invalid	Hickory Creek	1
7/3/2020	20001702	0000502	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/3/2020	20001703	0000503	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/4/2020	20001704	0000504	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/4/2020	20001705	0000505	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/4/2020	20001706	0000506	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/4/2020	20001707	0000507	741	Sprinkler activation, no fire - unintentional	Corinth	1
7/4/2020	20001708	0000508	321	EMS call, excluding vehicle accident with injury	Denton County	1
7/4/2020	20001709	0000509	322	Motor vehicle accident with injuries	Corinth	1
7/5/2020	20001710	0000510	140	Natural vegetation fire, other	Hickory Creek	1
7/5/2020	20001711	0000511	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/5/2020	20001712	0000512	322	Motor vehicle accident with injuries	Lewisville	1
7/5/2020	20001713	0000513	814	Lightning strike (no fire)	Hickory Creek	1
7/5/2020	20001714	0000514	324	Motor vehicle accident with no injuries.	Corinth	1
7/5/2020	20001715	0000515	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/5/2020	20001716	0000516	554	Assist invalid	Shady Shores	1
7/5/2020	20001717	0000517	531	Smoke or odor removal	Lake Dallas	1
7/6/2020	20001718	0000518	743	Smoke detector activation, no fire - unintentional	Corinth	1
7/6/2020	20001719	0000519	324	Motor vehicle accident with no injuries.	Hickory Creek	1
7/6/2020	20001720	0000520	554	Assist invalid	Shady Shores	1
7/6/2020	20001721	0000521	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/6/2020	20001722	0000522	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/6/2020	20001723	0000523	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/6/2020	20001724	0000524	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/6/2020	20001725	0000525	321	EMS call, excluding vehicle accident with injury	Denton County	1
7/6/2020	20001726	0000526	745	Alarm system activation, no fire - unintentional	Corinth	1
7/6/2020	20001727	0000527	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/6/2020	20001728	0000528	113	Cooking fire, confined to container	Corinth	1
7/6/2020	20001729	0000529	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/6/2020	20001730	0000530	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001731	0000531	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001732	0000532	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001733	0000533	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/7/2020	20001734	0000534	611	Dispatched & canceled en route	Hickory Creek	1

7/7/2020	20001735	0000535	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001736	0000536	622	No incident found on arrival at dispatch address	Corinth	1
7/7/2020	20001737	0000537	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/7/2020	20001738	0000538	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001739	0000539	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/7/2020	20001740	0000540	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/7/2020	20001741	0000541	611	Dispatched & canceled en route	Lewisville	1
7/7/2020	20001742	0000542	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/8/2020	20001743	0000543	554	Assist invalid	Hickory Creek	1
7/8/2020	20001744	0000544	324	Motor vehicle accident with no injuries.	Hickory Creek	1
7/8/2020	20001745	0000545	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/8/2020	20001746	0000547	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/8/2020	20001747	0000546	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/8/2020	20001748	0000548	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/8/2020	20001749	0000549	631	Authorized controlled burning	Shady Shores	1
7/8/2020	20001750	0000550	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/8/2020	20001751	0000551	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/9/2020	20001752	0000552	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/9/2020	20001753	0000553	322	Motor vehicle accident with injuries	Corinth	1
7/9/2020	20001754	0000554	744	Detector activation, no fire - unintentional	Corinth	1
7/9/2020	20001755	0000555	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/9/2020	20001756	0000556	554	Assist invalid	Lake Dallas	1
7/9/2020	20001757	0000557	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/9/2020	20001758	0000558	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/9/2020	20001759	0000559	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/9/2020	20001760	0000560	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/9/2020	20001761	0000561	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/9/2020	20001762	0000562	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/10/2020	20001763	0000563	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/10/2020	20001764	0000564	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/10/2020	20001765	0000565	554	Assist invalid	Corinth	1
7/10/2020	20001766	0000566	745	Alarm system activation, no fire - unintentional	Corinth	1
7/10/2020	20001767	0000567	631	Authorized controlled burning	Shady Shores	1
7/10/2020	20001768	0000568	551	Assist police or other governmental agency	Shady Shores	1

7/10/2020	20001769	0000569	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/10/2020	20001770	0000570	554	Assist invalid	Lake Dallas	1
7/10/2020	20001771	0000571	554	Assist invalid	Lake Dallas	1
7/10/2020	20001772	0000572	611	Dispatched & canceled en route	Denton County	1
7/10/2020	20001773	0000573	554	Assist invalid	Corinth	1
7/11/2020	20001774	0000574	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001775	0000575	554	Assist invalid	Corinth	1
7/11/2020	20001776	0000576	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001777	0000577	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001778	0000578	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001779	0000579	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001780	0000580	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001781	0000581	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001782	0000582	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001783	0000583	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001784	0000584	551	Assist police or other governmental agency	Corinth	1
7/11/2020	20001785	0000585	321	EMS call, excluding vehicle accident with injury	Denton County	1
7/11/2020	20001786	0000586	745	Alarm system activation, no fire - unintentional	Hickory Creek	1
7/11/2020	20001787	0000587	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/11/2020	20001788	0000588	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/11/2020	20001789	0000589	324	Motor vehicle accident with no injuries.	Hickory Creek	1
7/11/2020	20001790	0000590	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/12/2020	20001791	0000591	445	Arcing, shorted electrical equipment	Corinth	1
7/12/2020	20001792	0000592	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/12/2020	20001793	0000593	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/12/2020	20001794	0000594	445	Arcing, shorted electrical equipment	Lake Dallas	1
7/12/2020	20001795	0000595	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/12/2020	20001796	0000596	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/12/2020	20001797	0000597	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/12/2020	20001798	0000598	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/12/2020	20001799	0000599	324	Motor vehicle accident with no injuries.	Corinth	1
7/12/2020	20001800	0000600	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/12/2020	20001801	0000601	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/12/2020	20001802	0000602	221	Overpressure rupture of air or gas pipe/pipeline	Hickory Creek	1
7/12/2020	20001803	0000603	321	EMS call, excluding vehicle accident with injury	Corinth	1

7/13/2020	20001804	0000604	611	Dispatched & canceled en route	Little Elm	1
7/13/2020	20001805	0000605	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/13/2020	20001806	0000607	111	Building fire	Lake Dallas	1
7/13/2020	20001807	0000606	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/13/2020	20001808	0000608	551	Assist police or other governmental agency	Lake Dallas	1
7/13/2020	20001809	0000609	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/13/2020	20001810	0000610	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/13/2020	20001811	0000611	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/13/2020	20001812	0000613	522	Water or steam leak	Highland Village	1
7/13/2020	20001813	0000612	554	Assist invalid	Corinth	1
7/13/2020	20001814	0000614	571	Cover assignment, standby, moveup	Highland Village	1
7/13/2020	20001815	0000615	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/13/2020	20001816	0000616	622	No incident found on arrival at dispatch address	Corinth	1
7/13/2020	20001817	0000617	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/14/2020	20001818	0000618	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/14/2020	20001819	0000620	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/14/2020	20001820	0000619	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/14/2020	20001821	0000621	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/14/2020	20001822	0000622	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/14/2020	20001823	0000623	622	No incident found on arrival at dispatch address	Corinth	1
7/14/2020	20001824	0000624	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/15/2020	20001825	0000625	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/15/2020	20001826	0000626	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/16/2020	20001827	0000627	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/16/2020	20001828	0000629	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/16/2020	20001829	0000628	324	Motor vehicle accident with no injuries.	Denton County	1
7/16/2020	20001830	0000630	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/16/2020	20001831	0000631	735	Alarm system sounded due to malfunction	Denton County	1
7/16/2020	20001832	0000632	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/16/2020	20001833	0000633	251	Excessive heat, scorch burns with no ignition	Hickory Creek	1
7/16/2020	20001834	0000634	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/16/2020	20001835	0000635	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/17/2020	20001836	0000636	442	Overheated motor	Hickory Creek	1

7/17/2020	20001837	0000637	412	Gas leak (natural gas or LPG)	Hickory Creek	1
7/17/2020	20001838	0000638	631	Authorized controlled burning	Lake Dallas	1
7/17/2020	20001839	0000639	743	Smoke detector activation, no fire - unintentional	Corinth	1
7/17/2020	20001840	0000640	554	Assist invalid	Corinth	1
7/17/2020	20001841	0000641	554	Assist invalid	Corinth	1
7/17/2020	20001842	0000642	511	Lock-out	Corinth	1
7/17/2020	20001843	0000643	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/17/2020	20001844	0000644	142	Brush or brush-and-grass mixture fire	Lake Dallas	1
7/17/2020	20001845	0000645	554	Assist invalid	Corinth	1
7/17/2020	20001846	0000646	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/18/2020	20001847	0000647	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/18/2020	20001848	0000648	324	Motor vehicle accident with no injuries.	Denton County	1
7/18/2020	20001849	0000649	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/18/2020	20001850	0000650	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/18/2020	20001851	0000651	324	Motor vehicle accident with no injuries.	Corinth	1
7/18/2020	20001852	0000652	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/19/2020	20001853	0000653	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/19/2020	20001854	0000654	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/19/2020	20001855	0000655	554	Assist invalid	Lake Dallas	1
7/19/2020	20001856	0000656	322	Motor vehicle accident with injuries	Corinth	1
7/19/2020	20001857	0000657	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/19/2020	20001858	0000658	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/19/2020	20001859	0000659	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/19/2020	20001860	0000660	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/19/2020	20001861	0000661	743	Smoke detector activation, no fire - unintentional	Hickory Creek	1
7/19/2020	20001862	0000662	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/20/2020	20001863	0000663	554	Assist invalid	Corinth	1
7/20/2020	20001864	0000664	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/20/2020	20001865	0000665	321	EMS call, excluding vehicle accident with injury	Shady Shores	1
7/20/2020	20001866	0000666	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/20/2020	20001867	0000667	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/20/2020	20001868	0000668	511	Lock-out	Hickory Creek	1
7/20/2020	20001869	0000669	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/21/2020	20001870	0000670	745	Alarm system activation, no fire - unintentional	Corinth	1
7/21/2020	20001871	0000671	554	Assist invalid	Corinth	1
7/21/2020	20001872	0000672	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/21/2020	20001873	0000673	422	Chemical spill or leak	Corinth	1

7/21/2020	20001874	0000674	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/21/2020	20001875	0000675	422	Chemical spill or leak	Corinth	1
7/21/2020	20001876	0000676	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/21/2020	20001877	0000677	321	EMS call, excluding vehicle accident with injury	Denton County	1
7/21/2020	20001878	0000678	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/21/2020	20001879	0000679	551	Assist police or other governmental agency	Corinth	1
7/21/2020	20001880	0000680	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/21/2020	20001881	0000681	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/21/2020	20001882	0000682	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/22/2020	20001883	0000683	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/22/2020	20001884	0000684	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/22/2020	20001885	0000685	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/23/2020	20001886	0000686	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/23/2020	20001887	0000687	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/23/2020	20001888	0000688	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/23/2020	20001889	0000689	671	HazMat release investigation w/no HazMat	Hickory Creek	1
7/23/2020	20001890	0000690	611	Dispatched & canceled en route	Hickory Creek	1
7/23/2020	20001891	0000691	322	Motor vehicle accident with injuries	Lewisville	1
7/23/2020	20001892	0000692	322	Motor vehicle accident with injuries	Hickory Creek	1
7/23/2020	20001893	0000693	611	Dispatched & canceled en route	Lewisville	1
7/23/2020	20001894	0000694	611	Dispatched & canceled en route	Lewisville	1
7/23/2020	20001895	0000695	622	No incident found on arrival at dispatch address	Corinth	1
7/23/2020	20001896	0000696	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/24/2020	20001897	0000697	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/24/2020	20001898	0000698	611	Dispatched & canceled en route	Denton	1
7/24/2020	20001899	0000699	611	Dispatched & canceled en route	Lewisville	1
7/24/2020	20001900	0000700	735	Alarm system sounded due to malfunction	Corinth	1
7/24/2020	20001901	0000701	322	Motor vehicle accident with injuries	Corinth	1
7/24/2020	20001902	0000702	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/24/2020	20001903	0000703	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/25/2020	20001904	0000704	733	Smoke detector activation due to malfunction	Corinth	1
7/25/2020	20001905	0000705	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/25/2020	20001906	0000706	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/25/2020	20001907	0000707	522	Water or steam leak	Corinth	1
7/25/2020	20001908	0000708	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/25/2020	20001909	0000709	631	Authorized controlled burning	Shady Shores	1

7/25/2020	20001910	0000710	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/25/2020	20001911	0000711	422	Chemical spill or leak	Corinth	1
7/25/2020	20001912	0000712	324	Motor vehicle accident with no injuries.	Corinth	1
7/25/2020	20001913	0000713	321	EMS call, excluding vehicle accident with injury	Denton County	1
7/25/2020	20001914	0000714	554	Assist invalid	Corinth	1
7/26/2020	20001915	0000715	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/26/2020	20001916	0000716	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/26/2020	20001917	0000717	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/26/2020	20001918	0000718	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/26/2020	20001919	0000719	324	Motor vehicle accident with no injuries.	Hickory Creek	1
7/26/2020	20001920	0000720	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/26/2020	20001921	0000721	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/26/2020	20001922	0000722	321	EMS call, excluding vehicle accident with injury	Lewisville	1
7/26/2020	20001923	0000723	531	Smoke or odor removal	Hickory Creek	1
7/27/2020	20001924	0000724	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/27/2020	20001925	0000725	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/27/2020	20001926	0000726	151	Outside rubbish, trash or waste fire	Denton County	1
7/27/2020	20001927	0000727	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/27/2020	20001928	0000728	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/27/2020	20001929	0000729	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/28/2020	20001930	0000730	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/28/2020	20001931	0000731	320	Emergency medical service incident, other	Corinth	1
7/28/2020	20001932	0000732	322	Motor vehicle accident with injuries	Corinth	1
7/28/2020	20001933	0000735	324	Motor vehicle accident with no injuries.	Corinth	1
7/28/2020	20001934	0000733	611	Dispatched & canceled en route	Lewisville	1
7/28/2020	20001935	0000734	554	Assist invalid	Corinth	1
7/28/2020	20001936	0000736	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/28/2020	20001937	0000737	745	Alarm system activation, no fire - unintentional	Corinth	1
7/28/2020	20001938	0000738	554	Assist invalid	Corinth	1
7/28/2020	20001939	0000739	744	Detector activation, no fire - unintentional	Corinth	1
7/28/2020	20001940	0000740	554	Assist invalid	Corinth	1
7/28/2020	20001941	0000741	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/29/2020	20001942	0000742	321	EMS call, excluding vehicle accident with injury	Hickory Creek	1
7/29/2020	20001943	0000743	745	Alarm system activation, no fire - unintentional	Lake Dallas	1
7/29/2020	20001944	0000744	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/29/2020	20001945	0000745	445	Arcing, shorted electrical equipment	Hickory Creek	1

7/29/2020	20001946	0000746	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/29/2020	20001947	0000747	522	Water or steam leak	Corinth	1
7/30/2020	20001948	0000748	441	Heat from short circuit (wiring), defective/worn	Lake Dallas	1
7/30/2020	20001949	0000749	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/30/2020	20001950	0000750	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/30/2020	20001951	0000751	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/30/2020	20001952	0000752	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/30/2020	20001953	0000753	321	EMS call, excluding vehicle accident with injury	Corinth	1
7/30/2020	20001954	0000754	321	EMS call, excluding vehicle accident with injury	Lake Dallas	1
7/30/2020	20001955	0000755	554	Assist invalid	Corinth	1
7/30/2020	20001956	0000756	111	Building fire	Corinth	1
7/30/2020	20001957	0000757	131	Passenger vehicle fire	Lake Dallas	1
7/30/2020	20001958	0000758	324	Motor vehicle accident with no injuries.	Lake Dallas	1
7/30/2020	20001959	0000759	322	Motor vehicle accident with injuries	Lake Dallas	1
7/31/2020	20001960	0000760	111	Building fire	Corinth	1
7/31/2020	20001961	0000761	111	Building fire	Corinth	1
7/31/2020	20001962	0000762	324	Motor vehicle accident with no injuries.	Corinth	1
7/31/2020	20001963	0000763	745	Alarm system activation, no fire - unintentional	Corinth	1
7/31/2020	20001964	0000764	321	EMS call, excluding vehicle accident with injury	Shady Shores	1

Incident Type Details	2020-07-01	Total
132 - Road freight or transport vehicle fire	1	1
554 - Assist invalid	26	26
321 - EMS call, excluding vehicle accident with injury	171	171
463 - Vehicle accident, general cleanup	1	1
322 - Motor vehicle accident with injuries	10	10
622 - No incident found on arrival at dispatch address	5	5
324 - Motor vehicle accident with no injuries.	15	15
511 - Lock-out	3	3
162 - Outside equipment fire	1	1
445 - Arcing, shorted electrical equipment	4	4
733 - Smoke detector activation due to malfunction	2	2
741 - Sprinkler activation, no fire - unintentional	1	1
140 - Natural vegetation fire, other	1	1
814 - Lightning strike (no fire)	1	1
531 - Smoke or odor removal	2	2
743 - Smoke detector activation, no fire - unintentional	3	3
745 - Alarm system activation, no fire - unintentional	7	7
113 - Cooking fire, confined to container	1	1
611 - Dispatched & canceled en route	10	10
631 - Authorized controlled burning	4	4
744 - Detector activation, no fire - unintentional	2	2
551 - Assist police or other governmental agency	4	4
221 - Overpressure rupture of air or gas pipe/pipeline	1	1
111 - Building fire	4	4
571 - Cover assignment, standby, moveup	1	1
522 - Water or steam leak	3	3
735 - Alarm system sounded due to malfunction	2	2
251 - Excessive heat, scorch burns with no ignition	1	1
442 - Overheated motor	1	1
412 - Gas leak (natural gas or LPG)	1	1
142 - Brush or brush-and-grass mixture fire	1	1
422 - Chemical spill or leak	3	3
671 - HazMat release investigation w/no HazMat	1	1
151 - Outside rubbish, trash or waste fire	1	1
320 - Emergency medical service incident, other	1	1
441 - Heat from short circuit (wiring), defective/worn	1	1
131 - Passenger vehicle fire	1	1
Total	298	298

Alarm Date between 2020-07-01 and 2020-08-01

Total Calls by District

District	2020-07-01	Total
Corinth	158	158
Denton County	12	12
Lake Dallas	59	59
Hickory Creek	40	40
Shady Shores	17	17
Lewisville	8	8
Little Elm	1	1
Highland Village	2	2
Denton	1	1
Total	298	298



AGENDA MEMORANDUM

DATE: August 10, 2020
TO: Town Council
FROM: Wendy Withers, Town Administrator
SUBJECT: Staff Report

BACKGROUND/INFORMATION:

FACEBOOK FOLLOWERS: 757
KEEP SHADY SHORES BEAUTIFUL: 135
EMAIL SUBSCRIBERS: 424
SHADY-SHORES.COM: 5,392 PAGE HITS
BUILDING PERMITS ISSUED: 30

MEETINGS: TOWN COUNCIL; MUNICIPAL COURT; LAKE CITIES MANAGERS MEETING; CHAMBER OF COMMERCE COMMITTEE MEETING; ROAD COMMITTEE MEETING; INVESTMENT COMMITTEE MEETING

WORK PROJECTS:

ATTENDED PUBLIC INVESTMENT TRAINING AND WORKSHOP
WORKED ON BUDGET
BROADBAND STUDY IS UNDERWAY; SURVEY TO BEGIN IN AUGUST
COMPLETED THE TOWN AUDIT
PREPARED FOR TWO REPLATS (SPENCER/HIDDEN VALLEY PHASE VI)
MUNICIPAL COURT

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
JULY 13, 2020; 7:00 PM
VIRTUAL
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

Cindy Aughinbaugh	Mayor	Present
Tom Newell	Mayor Pro-Tem	Present
Charles Grimes	Councilmember	Present
Matthew Haines	Councilmember	Present
Jack Nelson	Councilmember	Present
Mike Nowels	Councilmember	Present

STAFF PRESENT: Wendy Withers, Town Administrator; Jim Shepherd, Town Attorney; Amber Schuler, Municipal Court Administrator.

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location. The meeting was held via Zoom Teleconference Meeting ID [84132723843](#).

CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:00 pm.

ROLL CALL

Establish a quorum.

Mayor Aughinbaugh called the roll and a quorum was established for the record.

PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Animal Control

Councilmember Charles Grimes gave the animal control report.

2. Code Enforcement

Councilmember Charles Grimes gave the code enforcement report.

3. Police Department

Councilmember Matthew Haines gave the police report

4. Fire Department

Mayor Pro Tem Tom Newell gave the Fire Department Report.

5. Staff Report

Town Administrator Wendy Withers gave the staff report.

6. Roads, Drainage, Capital Improvements

Councilmembers Mike Nowels and Matthew Haines updated the council on the progress of S. Shady Shores Road Bridge and other various road repairs that were being done in Shady Shore

7. Mayor's statement on the completion of the Swanson v. Shady Shores litigation

There was no statement given on this item. Mayor Aughinbaugh announced that the Town was not ready to comment.

8. Announcements

Town Administrator Wendy Withers announced that July 14, 2020 was election day; however Shady Shores Residents would vote at th Corinth City Hall.

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

Mike Nowels made a motion to approve the consent agenda. Matthew Haines seconded the motion.

Discussion: None

Ayes: Haines, Grimes, Nelson Nowels, Newell

Nays: None

The motion passed unanimously.

9. Minutes- Consider and act on approval of the minutes from the June 22, 2020 Special Called Town Council Meeting and the June 8, 2020 Regular Town Council Meeting.

10. Quarterly Financial Reports- Consider and act on approval of the 3rd Quarter (April-June 2020) Financial Reports.

11. Investment Committee Report- Consider and act on approval of the 3rd Quarter (April-June 2020) Investment Committee Report.

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

There was no one signed up to speak.

REGULAR AGENDA ITEMS

12. Budget Worksession- Conduct a worksession relative to the proposed 2021 FY Budget for the Town of Shady Shores.

There was no action taken on this agenda item.

13. Parking Ordinance- Consider and act on approval of an Ordinance regulating parking on Lakeshore Road and Garza Road.

ORDINANCE 336-07-2020

Matthew Haines made a motion to approve the Ordinance. Jack Nelson seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None
The motion passed unanimously.

14. Building and Fire Code Updates- Consider and act on approval of an Ordinance updating the Building and Fire Codes.

ORDINANCE 335-07-2020

Jack Nelson made a motion to approve the Ordinance. Tom Newell seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None

The motion passed unanimously.

15. Pending and Contemplated Litigation - consider and act on pending and contemplated litigation regarding the existing municipal court cases styled "State of Texas versus Douglas Taft

There was no action taken on this agenda item.

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, The Town Council may hold a closed meeting.

16. 1. Government Code Section 551.071 Confidential Legal Advice from the Town Attorney for the pending and contemplated litigation regarding the existing municipal court cases styled "State of Texas versus Douglas Taft

Matthew Haines made a motion to adjourn into Executive Session. Jack Nelson seconded the motion at 7:38 pm.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None

The motion passed unanimously.

Mike Nowels made a motion to reconvene into Open Session 8:03 pm. Jack Nelson seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Newell Nowels

Nays: None

The motion passed unanimously.

There was no action taken as a result of Executive Sessi.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

Matthew Haines made a motion to adjourn. Charles Grimes seconded the motion. The meeting was adjourned at 8:05 pm.

PASSED AND APPROVED THIS THE ____ DAY OF _____, 2020

Approved:

Cindy Aughinbaugh, Mayor

Attest:

Wendy Withers, Town Administrator/Secretary



AGENDA MEMORANDUM

DATE: August 10, 2020
TO: Town Council
FROM: Wendy Withers, Town Administrator
SUBJECT: Span Contract 2020-21- Consider and act on approval of a contract with Span for transportation services.

BACKGROUND/INFORMATION:

Approve the Span Contract for the 2020/2021 Fiscal Year. Span Transportation offers discounted transportation to qualifying individuals for trips to medical appointments, workshops and to pick up medications.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 20-21 Shady Shores Agreement

REVIEWED BY:

STATE OF TEXAS §

COUNTY OF DENTON §

INTERLOCAL AGREEMENT FOR SERVICES

THIS SERVICE AGREEMENT ("Agreement") is entered into by and between Shady Shores, Texas, acting by and through its duly authorized Town Mayor (hereinafter referred to as "TOWN") and SPAN, Inc., (hereinafter referred to as "SPAN"), a Texas non-profit corporation operating in Denton County, Texas as an organization described in Section 501(c)(3) of the Internal Revenue Code, acting by and through its duly authorized Executive Director.

WHEREAS, SPAN enables people to live as fully and independently as possible by providing nutrition, transportation and social services to older persons, persons with disabilities, veterans, and the general public; and

WHEREAS, the success of or failure of the SPAN's purposes and objectives has a direct impact on the health and welfare of the citizens of the TOWN; and

WHEREAS, the TOWN is charged with the responsibility of promoting and preserving the health, safety, peace, good government, and welfare of its citizens; and

WHEREAS, SPAN transportation services were developed to provide safe and efficient transportation to seniors, persons with special needs, veterans and as otherwise defined by agreements into which SPAN may enter from time to time; and

WHEREAS, The TOWN and SPAN desire to enter into this Agreement whereby SPAN will provide demand response transit service for TOWN residents that are seniors (age 65 or older), and people with documented disabilities (hereafter referred to collectively as "Riders"); and

WHEREAS, Riders in TOWN may be taken anywhere in SPAN's demand response transit service area in Denton County at a cost to the Riders of \$3.00 for seniors (age 65 and older) and people with documented disabilities for the purposes of medical treatments, doctor's and dentist's appointments, trips to get prescriptions filled; and the following trips are limited to four one-way trips per week: shopping for necessities, travel to and from the Lake Dallas Public Library, Employment, Education, Nutrition, Recreation, and Workshop trips; and

WHEREAS, Riders may call in at least one (1) day in advance, but no more than two (2) weeks in advance, to set up appointments for pick-up and drop off by calling SPAN'S Transportation Office at 940-382-1900 weekdays between the hours of 8:00 a.m. and 2:00 p.m.; and

WHEREAS, Demand response transit service is available between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday excluding major holidays and subject to capacity constraints.

NOW, THEREFORE, THE TOWN AND SPAN DO HEREBY COVENANT AND AGREE AS FOLLOWS:

1. Recitals

Span represents the foregoing recitals are found to be true and correct.

2. Scope of Transportation Services

SPAN shall provide door-to-door demand response transit services to TOWN citizens residing in Denton County who are Riders in accordance with this Agreement and SPAN's "Transportation Policy and Procedures" which is attached hereto as Exhibit "A" and incorporated herein by reference as though it were set out in its entirety ("Policy"). In the event of conflict between this Agreement and the Policy, this Agreement shall control. In performing services under this Agreement, the relationship between the TOWN and SPAN is that of an independent contractor. No term or provision of this Agreement or act of SPAN in the performance of this Agreement shall be construed as making SPAN the agent, servant, or employee of the TOWN.

3. SPAN Transportation Operations

- a. SPAN shall provide all equipment, facilities, qualified employees, training, and insurance necessary to establish a demand response transit service for the TOWN's Riders. SPAN shall further establish, operate, and maintain an accounting system for this program that will allow for a tracking of services provided to Riders and a review of the financial status of the program. SPAN shall also track and break down the information regarding the number of one-way trips it provides to Riders.
- b. The TOWN shall have the right to review the activities and financial records kept incident to the services provided to the TOWN's Riders by SPAN. In addition, SPAN shall provide monthly ridership information to the TOWN Manager or his/her designee specifically identifying the number of Rider trips including rider origination, destination, and purpose.
- c. SPAN will be responsible for verifying and documenting the eligibility of Riders. SPAN reserves the right to determine on an individual basis whether SPAN has the capability to safely transport a passenger. In the event that safety is compromised, SPAN may decline transportation for this person and must document the reason why service was declined.
- d. Span will inform riders that their trips to the doctor or dentist's office, hospital, drug store or other location may qualify as a Medicaid eligible trip. SPAN will direct potential Medicaid eligible riders to call Texas Health and Human Services toll free at 1-877-633-8747 (TTY: 1-800-735-2989) or 1-877-MED-TRIP on Monday through Friday between 8:00 a.m. and 5:00 p.m. at least two days before their appointment or trip to schedule free transportation through Medicaid.

4. Payment

- a. SPAN shall provide up to one hundred and fifty (150) one-way trips per month to the Town riders of Shady Shores, Hickory Creek, Lake Dallas and Corinth using 5310 grant funds. If fewer than one hundred and fifty (150) trips are used in any given month the unused one-way trips from that month will accrue and be available for use during subsequent months of this Agreement.
- b. Span provides all the services detailed in the Agreement without payment of any kind or amount from the Town. The Town exercises no management or control over Span operations.

5. Indemnification

SPAN assumes all liability and responsibility for and agrees to fully indemnify, hold harmless and defend the TOWN, and its officials, officers, agents, servants and employees from and against any and all claims, damages, losses and expenses, including but not limited to attorney's fees, for injury to or death of a person or damage to property, arising out of or in connection with, directly or indirectly, the performance, attempted performance or nonperformance of the services described hereunder or in any way resulting from or arising out of the management, supervision, and operation of the program and activities of SPAN. In the event of joint and concurring responsibility of SPAN and the TOWN, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with Texas Law, without waiving any defense of either party under Texas Law. The provisions of this paragraph are solely for the benefit of the parties hereto and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

6. Insurance

SPAN shall obtain public liability insurance of the types and in the amounts set forth below from an insurance carrier or underwriter licensed to do business in the State of Texas and acceptable to the TOWN. SPAN shall furnish TOWN with certificates of insurance or copies of the policies, evidencing the required insurance on or before the beginning date of this Agreement. SPAN agrees to submit new certificates or policies to TOWN on before the expiration date of the previous certificates or policies. The insurance shall be the following types in amounts not less than indicated:

- a. Comprehensive General (Public) Liability Insurance or its equivalent including minimum coverage limits of \$1,000,000 per occurrence combined single limit for bodily injury and property damage.
- b. Automobile Liability Insurance including minimum coverage limits of \$1,000,000 per combined single limit for bodily injury and property damage.
- c. On all insurance required, SPAN shall require insurance providers to:

Name the TOWN, and its officials, officers and employees, as additional insureds and provide thirty (30) days written notice to TOWN of any material change to or cancellation of the insurance.

7. Assignment and Delegation

Neither party shall assign or delegate the rights or obligations under this Agreement without the prior written consent of the other party.

8. Severability

In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in full force and effect as to the balance of its provisions and shall be construed as if such invalid provision were not a part hereof.

9. Mediation

In the event of any dispute regarding this Agreement or the terms contained herein, the parties hereto agree that they shall submit such dispute to non-binding mediation, prior to any litigation being filed

10. Term of Agreement

The term of this Agreement shall be from October 1, 2020 through September 30, 2021, subject to renewal by the parties. Either party may modify this Agreement by submitting, in writing, the proposed amendment to be considered and executed by both parties. This Agreement may be terminated with or without cause by either party by giving thirty (30) days written notice to the other party of their intent to terminate the Agreement..

11. Applicable Law Venue

This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Texas, and venue for any claim or cause of action shall lie exclusively in Denton County, Texas or the Federal courts having jurisdiction over claims arising in Denton County, Texas.

12. Attorney's Fees and Costs

In the event it becomes necessary to take legal action to enforce the terms of this Agreement, the prevailing party in such action shall be entitled to recover attorney's fees and costs of court from the non-prevailing party.

IN WITNESS WHEREOF the TOWN of Shady Shores and Span, Inc. have executed this Agreement on this the _____ day of _____, 2020.

SPAN, INC:

Michelle McMahon, Executive Director

TOWN of Shady Shores

_____, TOWN Mayor

ATTEST:

TOWN Secretary



AGENDA MEMORANDUM

DATE: August 10, 2020

TO: Town Council

FROM: Wendy Withers, Town Administrator

SUBJECT: **Traffic Control Signs- Consider and act on an Ordinance amending Ordinances No. 75 and 257 to provide a comprehensive list of intersections within the Town of Shady Shores with traffic control adding additional stop signs listed on Exhibit A.**

BACKGROUND/INFORMATION:

Approve an Ordinance adding the intersections and traffic control signs established in Adkisson Ranch to the existing list of signs and intersections.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Traffic Control - July_2020 stop signs

REVIEWED BY:

ORDINANCE NO. _____
(Amending Ordinances 75 and 257 - Traffic Control)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, AMENDING ORDINANCES NO. 75 AND 257, BY AMENDING ATTACHMENT A OF ORDINANCE NO. 75 AND SUBSEQUENT AMENDING ORDINANCES TO PROVIDE A COMPREHENSIVE LIST OF INTERSECTIONS WITHIN THE TOWN OF SHADY SHORES WITH TRAFFIC CONTROL; ADDING THE ADDITIONAL STOP SIGN LOCATIONS LISTED HEREIN ON EXHIBIT A; SUCH SITES BEING RATIFIED AND APPROVED FOR THE PLACEMENT OF A STOP SIGN IN ACCORDANCE WITH STATE RULES AND REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 5, 1983, the Town of Shady Shores (the “Town”) enacted Ordinance No. 75 (which was subsequently amended on February 2, 2005 by Ordinance No. 169-2-2005, on July 7, 2008 by Ordinance 207-7-2008, and on _____, 20__ by Ordinance 257), adopting provisions for the location of specific traffic control devices within the corporate limits of the Town of Shady Shores and providing for the installation of such traffic control devices; and

WHEREAS, the Town Council finds that the addition of the stop sign locations listed below (a) will improve traffic flow, (b) will not compromise the health, safety, and welfare of the citizens, visitors, or motorists utilizing the public roadways within the corporate limits of the Town of Shady Shores, (c) are streets with traffic regulated by the Texas Transportation Code; and (d) will facilitate traffic flow without compromising safety.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS:

SECTION 1. Incorporation of Premises. The foregoing premises are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. Comprehensive List of Stop Sign Locations. Exhibit “A” to this Ordinance shall provide a comprehensive list of stop sign locations within the Town of Shady Shores. Violations of this ordinance are as described in Ordinance 75, as regulated by state traffic laws.

SECTION 3. New locations. The following new locations for stop signs have been added to Exhibit A by this ordinance. All locations are four way stops in 1)

through 5). Stop signs on locations 6) and 7) are on Ambergate Drive and Lyon Crest Drive only.

- 1) Tennington Lane & Lyon Crest Drive
- 2) Tennington Lane & Lyon Crest Drive
- 3) Beckington Drive & Ambergate Drive
- 4) Beckington Drive & Lyon Crest Drive
- 5) Beckington Drive & Lyon Crest Drive
- 6) On Ambergate Drive at Garza Road
- 7) On Lyon Crest Drive at Garza Road

SECTION 4. Stopping Unless directed to proceed by a police officer, an operator required to stop by this section shall stop before entering the crosswalk on the near side of the intersection. In the absence of a crosswalk, the operator shall stop at a clearly marked stop line. In the absence of a stop line, the operator shall stop at the place nearest the intersecting roadway where the operator has a view of approaching traffic on the intersecting roadway.

SECTION 5. Repealer All provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Severability Should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

SECTION 7. Savings All rights and remedies of the Town of Shady Shores, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting traffic control devices which have been secured at the time of the

effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances the same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts. Ordinance No. 75, as amended by this Ordinance, is still in full force and effect.

SECTION 8. Penalty Clause. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be punished by a fine not to exceed the sum of Two-Hundred Dollars (\$200.00) for each offense; and each and every day during or on which such violation shall occur or continue shall be deemed to constitute a separate offense.

SECTION 9. Publication. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

SECTION 10. Effective Date. This Ordinance shall take effect upon publication of the caption, as the law in such case provides.

PASSED AND APPROVED by the Town Council of the Town of Shady Shores, Denton County, Texas on the _____ day of _____, 2020.

APPROVED:

Cindy Aughinbaugh, Mayor
Town of Shady Shores, Texas

ATTEST:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney

EXHIBIT “A”

a. At the intersection of West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane directing all traffic approaching this intersection from West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane to stop.

b. At the intersection of West Shady Shores Road and Fritz Lane: traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Fritz Lane directing traffic approaching West Shady Shores Road to stop.

c. At the intersection of Garza Road and Eason Cemetery Road; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Eason Cemetery Road directing traffic approaching Garza Road to stop.

d. At the intersection of Garza Road and 6th Street; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on 6th Street directing traffic approaching Garza Road to stop.

e. At the intersection of Garza Road and Smokey Lane; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Smokey Lane directing traffic approaching Garza Road to stop.

f. *(Deleted)*

g. At the intersection of Swisher Road and Chaparral Estates; traffic proceeding in either direction on Swisher Road shall have the right-of-way and there shall be a stop sign(s) on Chaparral Estates directing traffic approaching Swisher Road to stop.

h. At the intersection of Dobbs Road and Berry Lane; traffic proceeding in either direction on Dobbs Road shall have the right-of-way and there shall be a stop sign(s) on Berry Lane directing traffic approaching Dobbs Road to stop.

i. At the intersection of South Shady Shores Road and Dobbs Road; traffic proceeding in either direction on South Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Dobbs Road directing traffic approaching South Shady Shores Road to stop.

j. At the intersection of West Shady Shores Road and Meadowlark Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Meadowlark Lane directing traffic approaching on West Shady Shores Road to stop.

k. At the intersection of West Shady Shores Road and Shahan Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Shahan Lane directing traffic approaching West Shady Shores Road to stop.

l. At the intersection of Lakeshore Road and Shahan Drive; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Shahan Drive directing traffic approaching Lakeshore Road to stop.

m. At the intersection of South Shady Shores Road and Oakwood Circle; traffic proceeding in either direction on South Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Oakwood Circle directing traffic approaching South Shady Shores Road to stop.

n. At the intersection of Garza Road and Brown Terrace; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Brown Terrace directing traffic approaching Garza Road to stop.

o. At the intersection of Garza Road and West Shady Shores Road; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on West Shady Shores Road directing traffic approaching Garza Road to stop.

p. At the intersection of Oakwood Circle and Berry Lane; traffic proceeding in either direction on Oakwood Circle shall have the right-of-way and there shall be a stop sign(s) on Berry Lane directing traffic approaching Oakwood Circle to stop.

q. *(Deleted)*

r. At the intersection of Fritz Lane and Mustang Trail; traffic proceeding in either direction on Fritz Lane shall have the right-of-way and there shall be a stop sign(s) on Mustang Trail directing traffic approaching Fritz Lane to stop.

s. At the intersection of Brown Terrace and Spring Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Spring Drive directing traffic approaching Brown Terrace to stop.

t. At the intersection of Brown Terrace and Cove Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Cove Drive directing traffic approaching Brown Terrace to stop.

u. At the intersection of Brown Terrace and Driftwood Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Driftwood Drive directing traffic approaching Brown Terrace to stop.

v. At the intersection of Brown Terrace and Shell Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Shell Drive directing traffic approaching Brown Terrace to stop.

w. At the intersection of West Shady Shores Road and Carolyn Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Carolyn Lane directing traffic approaching West Shady Shores to stop.

x. At the intersection of West Shady Shores Road and Hidden Valley Airpark; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Hidden Valley Airpark directing traffic approaching West Shady Shores Road to stop.

y. At the intersection of West Shady Shores Road and Fox Hollow Run; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Fox Hollow Run directing traffic approaching West Shady Shores Road to stop.

z. At the intersection of West Shady Shores Road and Lakeside Drive; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Lakeside Drive traffic approaching West Shady Shores Road to stop.

aa. At the intersection of West Shady Shores Road and Dogwood Trail; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Dogwood Trail directing traffic approaching West Shady Shores Road to stop.

bb. At the intersection of Shahan Drive and Shahan Lane; there shall be a stop sign on Shahan Drive at Shahan Lane directing traffic approaching Shahan Drive to stop.

cc. At the intersection of Shahan Drive and West Shady Oaks Circle; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on West Shady Oaks Circle directing traffic approaching Shahan Drive to stop.

dd. At the intersection of Shahan Drive and Red Bud Trail; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on Red Bud Trail directing traffic approaching Shahan Drive to stop.

ee. At the intersection of Shahan Drive and East Shady Oaks Circle; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on East Shady Oaks Circle directing traffic approaching Shahan Drive to stop.

ff. At the intersection of West Shady Shores Road and Everett Court; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way

and there shall be a stop sign(s) on Everett Court directing traffic approaching West Shady Shores Road to stop.

gg. At the intersection of Lakeshore Road and Oberman Lane; traffic proceeding in the north direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign on Oberman Lane and on Lakeshore Road traveling west directing traffic approaching Lakeshore Road to stop.

hh. At the intersection of West 6th Street and Shady Lane; traffic proceeding in either direction on West 6th Street shall have the right-of-way and there shall be a stop sign(s) on Shady Lane Street directing traffic approaching West 6th Street to stop.

ii. At the intersection of Lakeshore Road, Smokey Lane, and Francks Circle; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on Lakeshore Road, Smokey Lane, and Francks Circle directing all traffic approaching this intersection from Smokey Lane, Francks Circle and Lakeshore Road to stop.

jj. At the intersection of West 6th Street, East 6th Street, and Lakeshore Road; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on West 6th Street, East 6th Street, north-bound on Lakeshore Road, south-bound on Lakeshore Road directing all traffic approaching this intersection from West 6th Street, East 6th Street, and Lakeshore Road to stop.

kk. At the intersection of Jay Street and Lakeshore Road; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Jay Street directing traffic approaching Lakeshore Road to stop.

ll. At the intersection of Laura Street and Lakeshore Road; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Laura Street directing traffic approaching Lakeshore Road to stop.

mm. At the intersection of Jay Street and Francks Circle; traffic proceeding in either direction on Francks Circle shall have the right-of-way and there shall be a stop sign(s) on Jay Street directing traffic approaching Francks Circle to stop.

nn. At the intersection of Laura Street and Francks Circle; traffic proceeding in either direction on Francks Circle shall have the right-of-way and there shall be a stop sign(s) on Laura Street directing traffic approaching Francks Circle to stop.

oo. At the intersection of Chaparral Drive and Meadowlark Lane; traffic proceeding in either direction on Meadowlark Lane shall have the right-of-way and there shall be a stop sign(s) on Chaparral Drive directing traffic approaching Meadowlark Lane to stop.

pp. At the intersection of Colt Lane and Mustang Trail; traffic proceeding in either direction on Mustang Trail shall have the right-of-way and there shall be a stop sign(s) on Colt Lane directing traffic approaching Mustang Trail to stop.

qq. The following stop sign on the road indicated at the intersections indicated:

1. On Brown Terrace at Lakeshore Dr
2. On Cedar Circle at Dogwood
3. On Colt at Mustang Trail
4. On Cottonwood Trail at Dogwood
5. On 5th at Lakeshore Dr
6. On Garza at dead-end-through property at North end
7. On Lakeshore at Oberman Dr
8. On Lakeshore at Brown Terrace
9. On Oakwood Circle at Oakwood Circle
10. On Olive's Branch at Garza
11. On Pecan Ct at Dogwood
12. On Shahan Lane coming from extension
13. On Shanan Lane at Shahan Drive
14. On Stapler Dr at W Shady Shores Rd
15. On Cahill at Comanche Drive
16. On Cahill at Paradise Cove
17. On Cheyenne Court at Paradise Cove
18. On Cielo Lane at West Shady Shores Road
19. On Comanche Drive at Rio Bravo Way
20. On Durango Circle at Comanche Court
21. On Mesa Court at Paradise Cove
22. On Peninsula Bend at Paradise Cove
23. On Rio Bravo Way at Paradise Cove
24. On Shadow Lane at Meadow Lark
25. On Sunrise Grove at Golden Meadow
26. On Sunrise Grove at West Shady Shores Road

rr. The following two-way stop signs at the intersections indicated:

1. On Cahill (both directions) at Cielo Lane
2. On Rio Bravo Way (both directions) at Cielo Lane
3. On McClintock (both directions) at Comanche Court
4. On Sunrise Grove (both directions) at Shadow Lane
5. On Shadow Lane (both directions) at Sunrise Grove
6. On Moonlit Path (both directions) at Sunrise Grove

ss. Signs for a three-way stop at the intersection of Garza Road and West Shady Shores Road.

tt. Roads in the Adkission Ranch subdivision.

1. Tennington Lane & Lyon Crest Drive (four way stop)

2. Tennington Lane & Lyon Crest Drive (four way stop)
3. Beckington Drive & Ambergate Drive (four way stop)
4. Beckington Drive & Lyon Crest Drive (four way stop)
5. Beckington Drive & Lyon Crest Drive (four way stop)
6. On Ambergate Drive at Garza Road (one stop)
7. On Lyon Crest Drive at Garza Road (one stop)



AGENDA MEMORANDUM

DATE: August 6, 2020

TO: Planning and Zoning Commission

FROM: Wendy Withers, Town Administrator

SUBJECT: **Public Hearing- Conduct a public hearing relative to a request for a zoning change and replat made by Tom Spencer.**

A) Open Public Hearing
B) Applicant
C) Those in favor
D) Those opposed
E) Rebuttal
F) Close Public Hearing

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: August 6, 2020
TO: Planning and Zoning Commission
FROM: Wendy Withers, Town Administrator
SUBJECT: **Spencer Replat/Zoning Change Request- Consider and act on an application for a zoning change and replat made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388 , Block 12, Lots 1-14.**

BACKGROUND/INFORMATION:

The Historical district zoning is only available in those portions of the Town of Shady Shores designated on the Comprehensive Plan for that Zoning, which are areas of the Town developed prior to the incorporation of the Town, or since, in small lots in the subdivision averaging 1,500 square feet or less; on right of ways or prescriptive easements of less than 20 feet in width. No other vacant or developed areas of Shady Shores are to be rezoned as H-1200-4300. Areas rezoned to H-1200-4300 will be required to replat the existing lot or lots to comply with the new zoning. Lots located on rights-of-way of less than 20 feet in width will be required to dedicate up to five feet of the lot to the city for additional right-of-way as a part of the zoning and replat required of the property.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Tom Spencer is requesting that the zoning for this property be changed to H-1200-4300. He has submitted the proper documentation and a request for a replat which is a requirement of the Historic Zoning designation.

Town Engineer Richard Arvizu has reviewed the request and his approval letter is attached.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Application Packet Re-Plat Request_Redacted
2. ZONING BOUNDARY CHANGE APPLICATION FORM Final Draft July 20 2020-redacted
3. ARTICLE_2_7_“H-1200-4300”_HISTORICAL_DISTRICT_REGULATIONS (1)
4. Town Engineer Letter - Lots 1R-3R Blk 12 Shady Shores Sub 7-23-20
5. 205128-PLAT
6. 205128-CLOSURE SHEET

REVIEWED BY:

PLAT APPLICATION

APPLICANT

Name JERALD YENSAN
Company LANDMARK SURVEYORS LLC
Address 4238 I-35 N.
Town DENTON State TX
Zip 76207 Fax (940) 387-9782
Phone (940) 382-4016
E-mail LANDMARK SV @AOL.COM

OWNER (if different from applicant)

Name TOM SPENCER
Company _____
Address PO Box 2954
Town DENTON State TX
Zip 76202 Fax _____
Phone 1 7 .
E-mail _____

Action Requested (check one – please complete a new application for each action):

- ☐ Minor Plat (new subdivision of 3 or fewer lots with no new infrastructure)
- ☐ Minor Replat (existing subdivision to create 3 or fewer lots with no new infrastructure)
- ☐ Amending Plat (existing subdivision minor amendments and no new lots or infrastructure)
- ☐ Preliminary Plat or Replat (new subdivision of 4 or more lots or new infrastructure)
- ☐ Final Plat (following approval of preliminary plat and installation of new infrastructure)

Property Information:

Street address or location of property: TBD SHADY LANE

Legal description: Survey B. EAVES Abstract 388

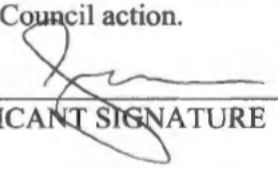
Lot 1R, 2R, 3R Block 12 Total Acreage 0.402
SHADY SHORES SUBD.

Attach a metes and bounds description.

By signing this form, the applicant is acknowledging that:

No hearing will be scheduled nor will any reviews commence until required application fees are received by the town. Fees are non-refundable regardless of outcome of request.

I JERALD YENSAN (printed applicant name) hereby waive by rights to approval through lack of Town action on the above referenced plat application within the time frames set forth in Texas Government Code Section 212.009, and I agree the plat submitted will be approved only by affirmative Town Council action.


APPLICANT SIGNATURE

7/12/2020

DATE

OWNER SIGNATURE

DATE

OFFICE USE ONLY BELOW

PRELIMINARY and MINOR PLATS/REPLATS

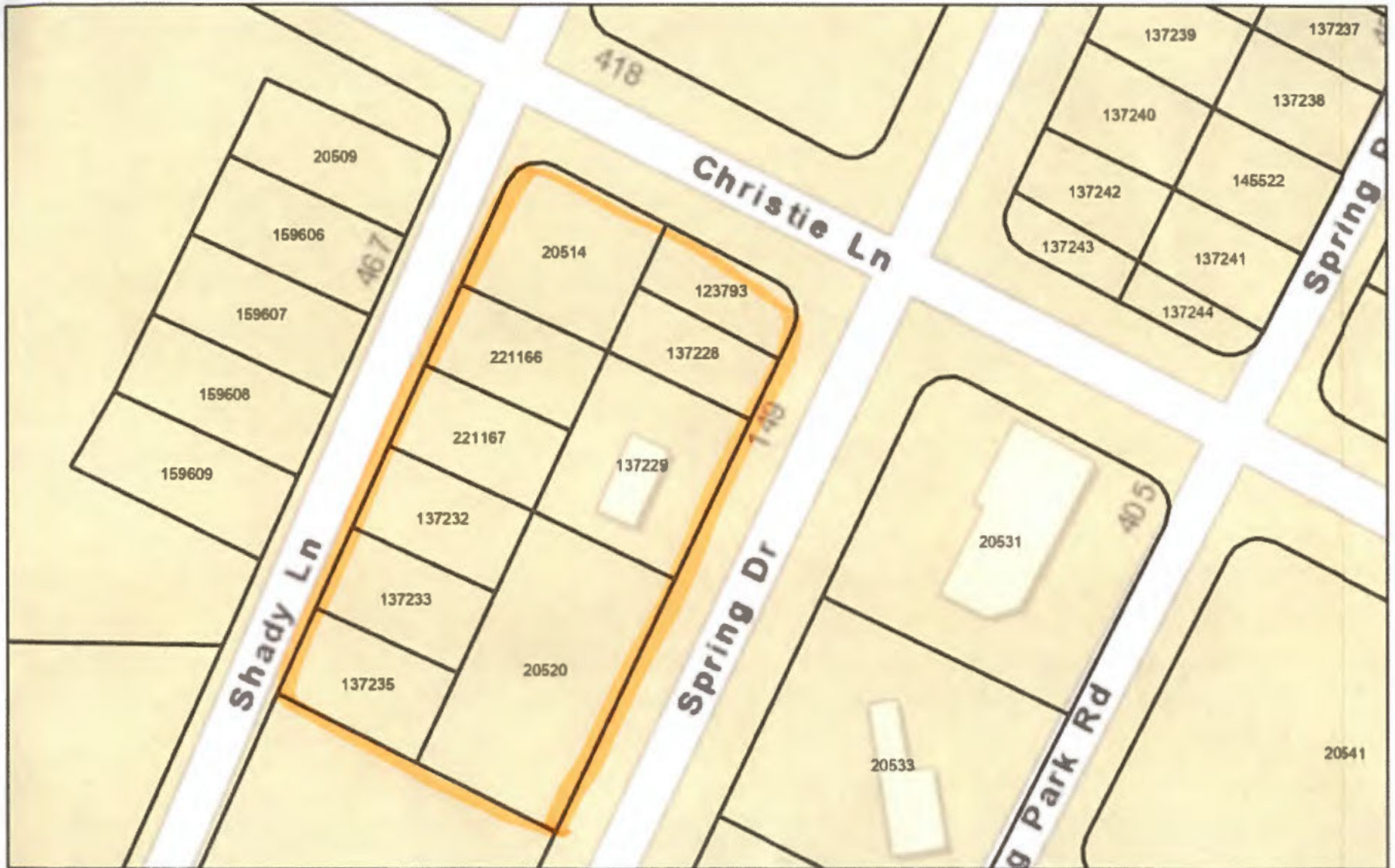
- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no

Date Received: _____

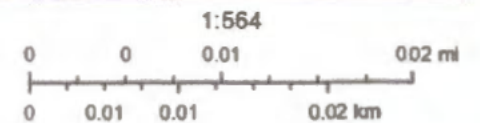
Receipt #: _____

Check #:

Denton CAD Webmap

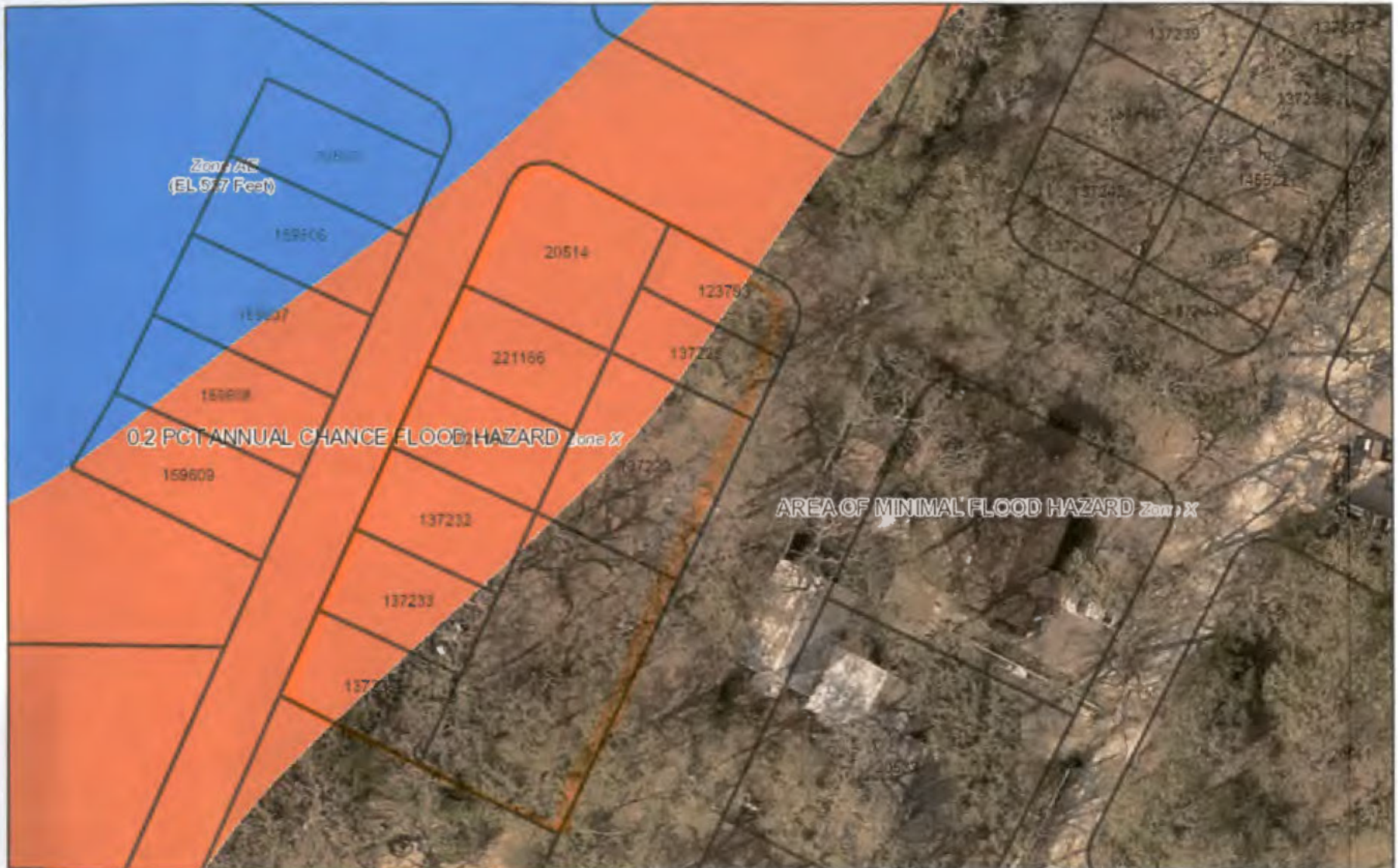


July 15, 2020

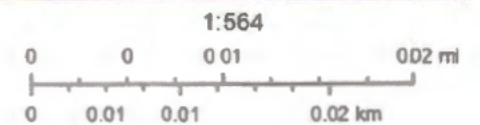


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Denton CAD Webmap



July 16, 2020

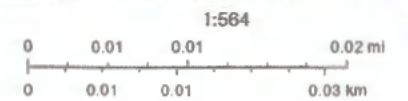


Sources: Esri HERE, Garmin USGS Intermap INCREMENT P IBCan

Denton CAD Webmap



July 15, 2020



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

ZONING BOUNDARY CHANGE APPLICATION FORM

ANNEXATION REQUEST FORM

1. Requesting: Re-Zoning

The zoning change is being requested to change the zoning from the current R-2000 ½ zoning category defined in Article 2.5 in of the current zoning ordinance NO. 256-5-2013, to H-1200-4300 District the residential district established under Article 2.7.

The original lots were platted in the 1932 plat of the Shady Shores Subdivision as here described:

Being Lots 1-14 in block 12 of SHADY SHORES SUBDIVISION, an Addition to the Town of Shady Shores, Denton County, Texas, according to the Plat thereof recorded in Volume 1, Page 32, Plat Records, Denton County, Texas.(Commonly known as Shady Lane)

The new Survey for Replat describes the lots as:

AMENDING FINAL PLAT

LOTS 1-R, 2-R, AND 3-R, BLOCK 12

AMENDING LOTS 1-14, BLOCK 12

OF SHADY SHORES SUBDIVISION

BEING 0.42 ACRE IN THE B. EAVES SURVEY A-388

TOWN OF SHADY SHORES

DENTON COUNTY, TEXAS

Applicant/Company Name: Tom Spencer HSH Enterprises

Company Address: P.O. Box 2954 Denton, TX 76202

Company Phone Number: Mobile Home

Company email:

2. Description and Location of Property:

Survey and Abstract : The original lots were platted in the 1932 plat of the Shady Shores Subdivision as here described:

Being Lots 1-14 in block 12 of SHADY SHORES SUBDIVISION, an Addition to the Town of Shady Shores, Denton County, Texas, according to the Plat thereof recorded in

Volume 1, Page 32, Plat Records, Denton C County, Texas.(Commonly known as Shady Lane) A copy of the August 2, 2013 survey of Block 12 Lots 1-14 is enclosed.

A photo is included with the Replat Request.

Block 12 Lots 1-14 were formally known as 406 Shady Lane

The total number of acres is .42 acre.

The property is all within the Town Limits

8 copies of the survey have been submitted with the Replat request and contain all items i through m of the Zoning Boundary Change Application Form

Fees for the Application are Non-Refundable and will be paid as directed when the Town Secretary indicates the application form is acceptable and complete.

Town Secretary has indicated that she will compile the list of properties with 200 feet to be notified of the Zoning Change Request.

Applicant _____ Date _____

Accepted _____ Date _____

REQUEST FOR ZONING BOUNDARY CHANGE

Names and addresses of all property owners within 200 feet of subject property, in all directions:

1. Fred Reiser 410 Shady Lane - PO BOX 59821 Dallas , TX
2. John B. McDonald 402 Shady Lane 76208 - 5027
3. Jeffery & Rhonda Casey 401 Spring Park Rd. 76208 - 5010
4. Lilian J. Thompson 405 Spring Park Rd. 76208 - 5010
5. Kent & Cindy Taylor 403 Spring Park Rd. 76208 - 5010
6. Jane Graham 407 Spring Park Rd. 76208 - 5010
7. Donna Cody 411 Lakeshore Rd. 76208 - 5017
8. Confidential 406 Spring Park Rd. 76208 - 5052
9. Jose A. Delomo 408 Spring Park Rd. 76208 - 5052
10. Brittani N. Gonzales 413 Lakeshore Rd. 76208 - 5017
11. Rita Rembetsy 109 W. First St. 76208 - 5001
12. Alice Eugenia Bowers 409 Lakeshore Rd. 76208 - 5001
13. Donna Bragg 201 W. 1st St. - P.O. Box 656 Lake Dallas TX
14. Donna Pace 501 Lakeshore Rd. 76208 - 7041
15. Carl Thele 101 W. 1st St. 76208 - 5001

ARTICLE 2.7 “H-1200-4300” HISTORICAL DISTRICT REGULATIONS

(a) Use Regulations: In a H-1200-4300 HISTORICAL DISTRICT, no land shall be used and no building erected or converted to any other use than permitted in [ARTICLE 3.2](#). The Historical district zoning is only available in those portions of the Town of Shady Shores designated on the Comprehensive Plan for that Zoning, which are areas of the Town developed prior to the incorporation of the Town, or since, in small lots in the subdivision averaging 1,500 square feet or less; on right of ways or prescriptive easements of less than 20 feet in width. No other vacant or developed areas of Shady Shores are to be rezoned as H-1200-4300. Areas rezoned to H-1200-4300 will be required to replat the existing lot or lots to comply with the new zoning. Lots located on rights-of-way of less than 20 feet in width will be required to dedicate up to five feet of the lot to the city for additional right-of-way as a part of the zoning and replat required of the property.

(b) Building Regulations:

Minimum Size: The minimum floor area of the main building shall be one thousand two hundred (1,200) square feet living area, which excludes porches, breezeways, attached garages and caretaker's quarters.

(c) Area Regulations:

(1) Front Yards: There shall be a front yard for every building having a depth of not less than ten (10) feet from the front property line to the face of the building.

(2) Rear Yard: There shall be a rear yard for every building which shall have a depth of not less than ten (10) feet measured from the back of the building to the rear property line.

(3) Side Yard: There shall be two (2) side yards for each building, one on each side of the building. No side yard shall be less than five (5) feet, measured from the side property line to the side of the building.

(4) Corner Lots: The Town's standard corner lot regulations are set forth in the Zoning Ordinance and Subdivision Ordinances shall apply. The owners of existing developed areas designated in the Comprehensive Plan as available for rezoning to the H-1200-4300 zoning may, upon rezoning, have the front and side yard on the corner of not less than 10 feet each. Or, they may request alternative regulations for corner lots based on the limitations of the proposed development on the corner lot, and the available and acquired right-of-way. The City Engineer may review alternative plans, and refer the applicant to the Zoning Board of Adjustment with his recommendation.

(5) Lot Area: The minimum lot area in the H-1200-4300 district shall be 4300 square feet, excluding Public Rights-of-Way, alleys, and Private streets.

(6) Lot Width: The minimum lot width shall be fifty (50) feet.

(7) Lot Depth: The minimum lot depth shall be thirty (30) feet.

(8) Lot Coverage: The combined area of the main building and accessory buildings shall not cover more than forty (40) percent of the total area of any lot.

(9) Parking: A minimum of two (2) off-street all-weather surfaced parking spaces shall be provided for each residential lot. A carport must be set back not less than ten (10) feet from the front property line. A garage must be set back not less than twenty (20) feet from the front property line.

(Ordinance 302-06-2017, sec. 2.3.III, adopted 7/10/17)



July 23, 2020

Mayor Cindy Aughinbaugh
Town of Shady Shores
101 S. Shady Shores Rd.
Shady Shores, Texas 76208

Re: Plat Approval Request for Lots 1-R, 2-R and 3-R, Block 12, Shady Shores Subdivision

Honorable Mayor Aughinbaugh:

The Amending Final Plat with the date of May 8, 2020 was received today from Landmark Surveyors, LLC on behalf of property owner Tom Spencer. I reviewed a previous version and requested minor revisions on June 19, 2020. All those comments have been addressed. The applicant is requesting approval of platting 14 lots into three residential lots. It is understood the applicant is working to re-zone the properties from R-2000 zoning to Historical District zoning.

A two-foot wide right-of-way dedication has been included at the west side of the subdivision along Shady Lane, which is currently an existing 16-foot wide road right-of-way in the area. In accordance with the thoroughfare requirements for the Historical District, the right-of-way should be 20-foot wide. The two-foot dedication is the first step in achieving this and is all that is required at this time. Right-of-way dedication is not required and not being provided along the northern or eastern sides of the subdivision because those are unimproved roads and do not show up on the thoroughfare plan.

Each lot has a 5-foot wide private drainage easement along the east-west property lines to be able to address drainage across the subdivision when developed.

Based on my review of the submitted information by Landmark Surveyors, LLC I recommend the Planning and Zoning Commission and Town consider approving the plat.

Sincerely,

Binkley & Barfield, Inc.
Consulting Engineers

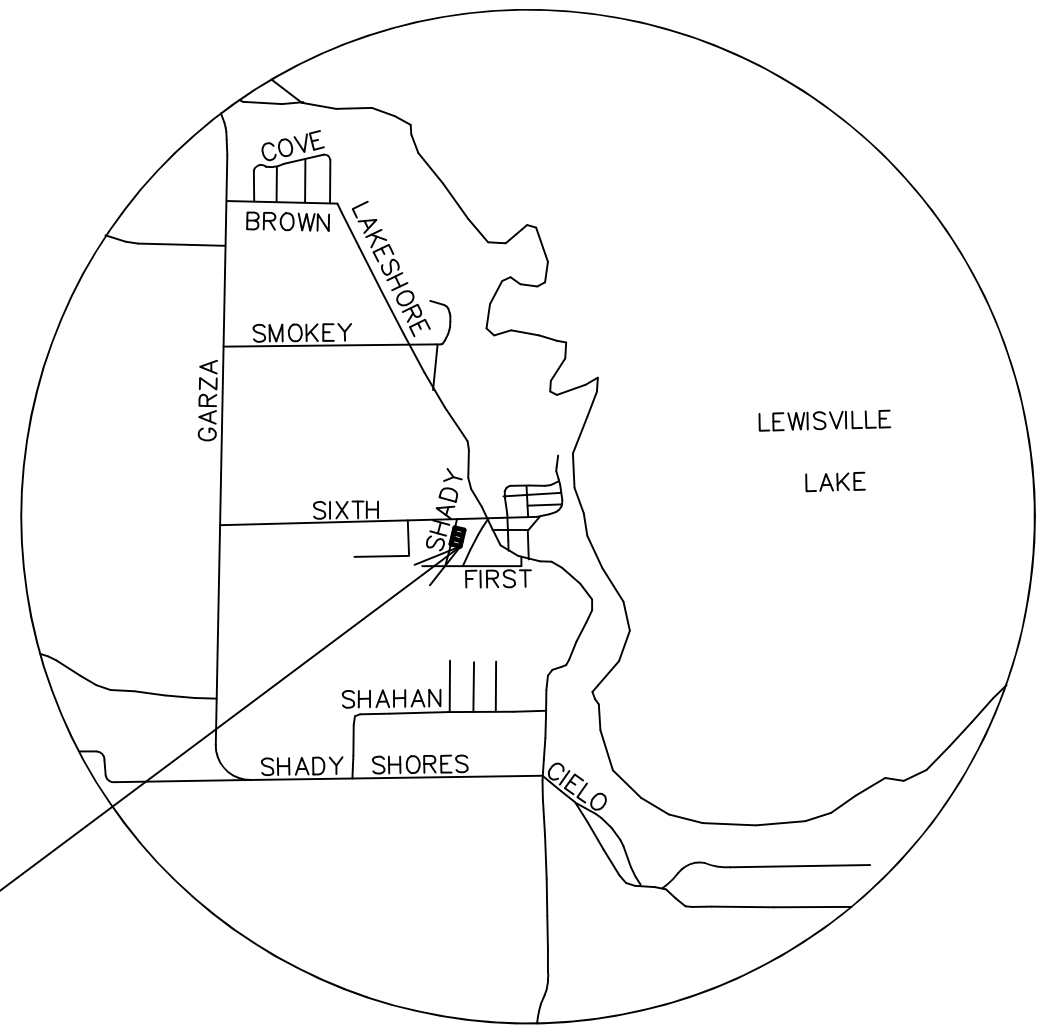
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Richard A. Arvizu, P.E., CFM
Managing Director – Municipal Infrastructure

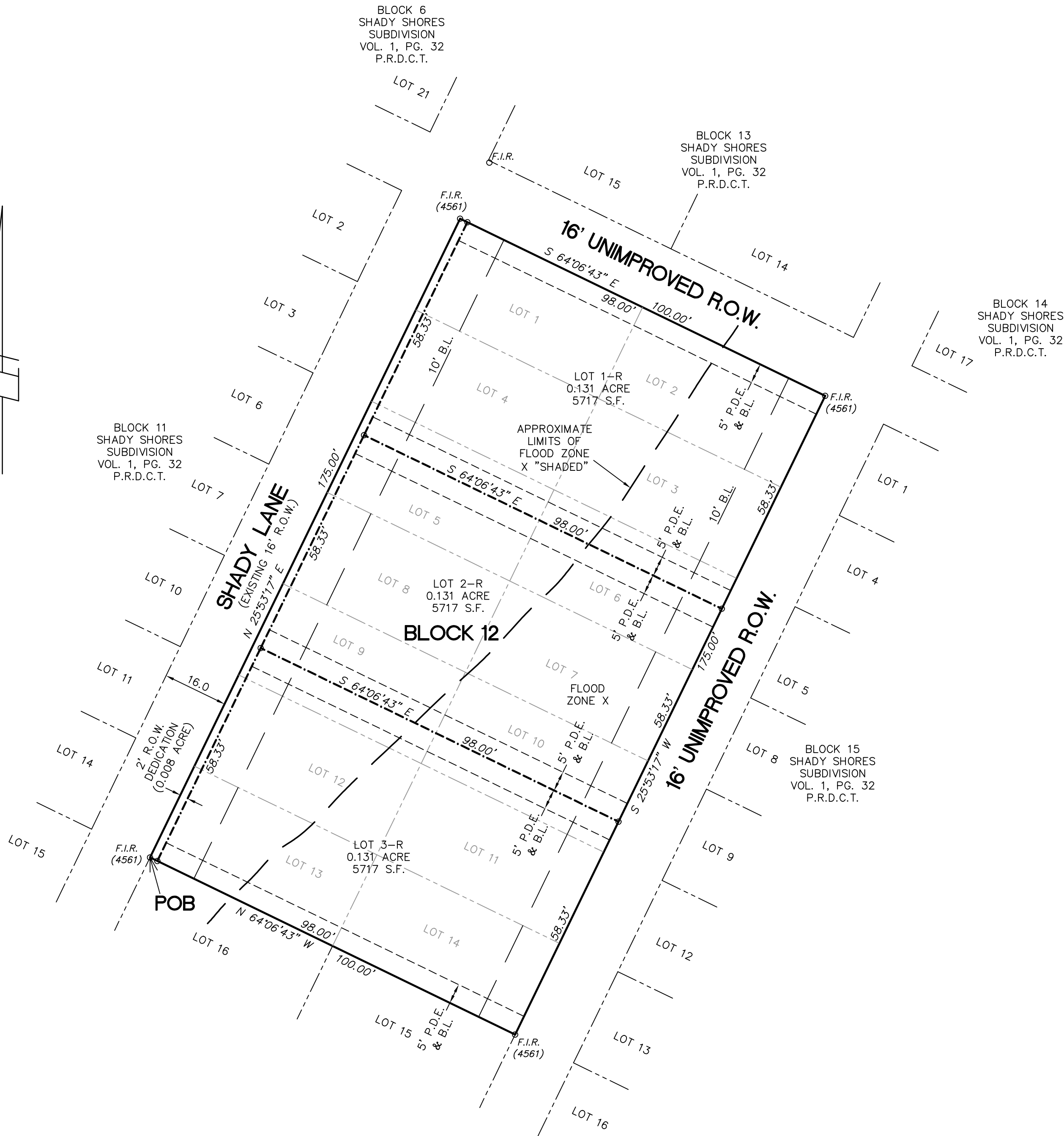
Attachment:

- Amending Final Plat

PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'



OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF DENTON; WHEREAS WE, I, Tom Spencer am the owner of that certain lot, tract, or parcel of land situated in the Bartlett Eaves Survey Abstract Number 388 in the Town of Shady Shores, Denton County, Texas, being all of Lots 1 through 14, Block 12 of the Shady Shores Subdivision, an addition to the Town of Shady Shores, Denton County, Texas according to the plat thereof recorded in Volume 1, Page 32, Plat Records, Denton County, Texas, and being more particularly described as follows:
BEGINNING at a capped iron rod marked RPLS 4561 found for corner in the east line of Shady Lane, a public roadway having a right-of-way of 16.0 feet, said point being the northwest corner of Lot 16 in said Block 12 of said Shady Shores Subdivision;

THENCE N 25° 53' 17" E, 175.00 feet with said east line of said east line of said Shady Lane to a capped iron rod marked RPLS 4561 found for corner in the south line of a 16.0 foot unimproved right-of-way;

THENCE S 64° 06' 43" E, 100.00 feet with said south line of said unimproved right-of-way to a capped iron rod marked RPLS 4561 found for corner in the west line of a 16.0 foot unimproved right-of-way;

THENCE S 25° 53' 17" W, 175.00 feet with said west line of said unimproved right-of-way to a capped iron rod marked RPLS 4561 found for corner, said point being the northeast corner of Lot 15 in said Block 12;

THENCE N 64° 06' 43" W, 100.00 feet with the north line of said Lots 15 and 16 to the PLACE OF BEGINNING and containing 0.402 acre of land, of which 0.008 acre is hereby dedicated for public roadway.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT WE, the aforesaid do hereby adopt this plat designating the herein above tract as LOTS 1-R, 2-R AND 3-R, BLOCK 12 OF SHADY SHORES SUBDIVISION, amending Lots 1 through 14, Block 12 of Shady Shores Subdivision, an addition to the Town of Shady Shores, Denton County, Texas, and do hereby dedicate to the public use forever all road and utility easements, drainage easements, and streets as shown hereon. Any public utility, including the Town of Shady Shores shall have the right to move and keep moved all or part of any building, fences, trees, shrubs other growths or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of the easements shown on the plat. Any public utility including the Town of Shady Shores shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

WITNESS MY HAND this ____ day of _____, 2020

Tom Spencer

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on _____, 2020 by Tom Spencer.

NOTARY PUBLIC
STATE OF TEXAS

RECOMMENDED FOR APPROVAL
Recommended for approval this _____ day of _____ A. D. 2020 by the Planning and Zoning Commission, Town of Shady Shores

Chairperson, Planning and Zoning, Town of Shady Shores

APPROVED
Approved this _____ day of _____ A. D. 2020 by the Town Council, Town of Shady Shores

Mayor, Town of Shady Shores

ATTESTED

Town Secretary

CERTIFICATE OF SURVEYOR

I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jerald D. Yensan
Registered Professional Land Surveyor No. 4561

- NOTES:
1. The purpose of this Plat is to reduce 14 lots into three residential lots.
 2. Cross-lot drainage is not permitted.
 3. Private plumbing will not be allowed to cross property lines.
 4. All private drainage easements are to be maintained by the property owner.
 5. Only portion shown of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Denton County and Incorporated Area, Map Number 48121CO391H, dated June 19, 2020. (Subject property lies in Zone X (shaded) and Zone X.)
 6. Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.
 7. Minimum finished floor (FF) elevations for Lots 1R, 2R and 3R shall be 539' (NAVD 88)
 8. Property lines for Lots 1-14, Block 12 to be abandoned per this plat.

OWNER/DEVELOPER
TOM SPENCER
PO BOX 2954
DENTON, TX 76202

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

AMENDING FINAL PLAT
LOTS 1-R, 2-R, AND 3-R, BLOCK 12
OF SHADY SHORES SUBDIVISION
AMENDING LOTS 1-14, BLOCK 12
OF SHADY SHORES SUBDIVISION
BEING 0.402 ACRE IN THE B. EAVES SURVEY A-388
TOWN OF SHADY SHORES
DENTON COUNTY, TEXAS

	4238 I-35 NORTH
	DENTON, TEXAS 76207
	(940) 382-4016
	FAX (940) 387-9784
TX FIRM REGISTRATION NO. 10098600	
DRAWN BY: BTH SCALE: 1"=20' DATE: 28 MAY, 2020 JOB NO: 205128	

LEGEND
B.L. = BUILDING LINE
P.D.E. = PRIVATE DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R. = SET CAPPED 1/2" RPLS 4561 IRON ROD
P.U.E. = PUBLIC UTILITY EASEMENT
P.A.E. = PUBLIC ACCESS EASEMENT
U.E. = UTILITY EASEMENT
W.E. = WATER EASEMENT

Lot Closure Report - Lot : 1R, 2R, 3R

=====

file- C:\Users\Public\MICROSURVEY JOBS\JOBS2020\205128\205128.msx\lc_1R, 2R, 3R.txt
Thursday, July 23, 2020, 3:35:27p.m.

Starting location (North, East) = (7109763.201, 2417626.813)

(In the table below, the Length of Curves refers to the chord length.
and the Bearing of Curves refers to the chord bearing.)

Leg	Segment	Bearing	Length	Front	End_Northing	End_Easting
---	-----	-----	-----	-----	-----	-----
1	Line	N25°53'17"E	175.000	No	7109920.640	2417703.221
2	Line	S64°06'43"E	100.000	No	7109876.978	2417793.186
3	Line	S25°53'17"W	175.000	No	7109719.540	2417716.778
4	Line	N64°06'43"W	100.000	No	7109763.201	2417626.813

Ending location (North, East) = (7109763.201, 2417626.813)

Total Distance : 550.000
Total Traverse Stations : 5
Misclosure Distance : < 0.001000
Error of Closure : 1:INFINITY
Frontage : 0.000
Frontage/Perimeter : 0.0 percent
AREA : 17500.000 sq. ft.
= 0.401745 Acres



AGENDA MEMORANDUM

DATE: August 10, 2020

TO: Planning and Zoning Commission

FROM: Wendy Withers, Town Administrator

SUBJECT: **Public Hearing- Conduct a public hearing relative to a request for a zoning change and replat made by Tom Spencer.**

- A) Open Public Hearing
- B) Applicant
- C) Those in favor
- D) Those opposed
- E) Rebuttal
- F) Close Public Hearing

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: August 10, 2020
TO: Planning and Zoning Commission
FROM: Wendy Withers, Town Administrator
SUBJECT: **Spencer Replat/Zoning Change Request- Consider and act on an application for a zoning change by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.**

BACKGROUND/INFORMATION:

The Historical district zoning is only available in those portions of the Town of Shady Shores designated on the Comprehensive Plan for that Zoning, which are areas of the Town developed prior to the incorporation of the Town, or since, in small lots in the subdivision averaging 1,500 square feet or less; on right of ways or prescriptive easements of less than 20 feet in width. No other vacant or developed areas of Shady Shores are to be rezoned as H-1200-4300. Areas rezoned to H-1200-4300 will be required to replat the existing lot or lots to comply with the new zoning. Lots located on rights-of-way of less than 20 feet in width will be required to dedicate up to five feet of the lot to the city for additional right-of-way as a part of the zoning and replat required of the property.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

Tom Spencer is requesting that the zoning for this property be changed to H-1200-4300. He has submitted the proper documentation and a request for a replat which is a requirement of the Historic Zoning designation.

Town Engineer Richard Arvizu has reviewed the request and his approval letter is attached. The Planning and Zoning Commission approved this request at the August 6, 2020 Planning and Zoning Commission Meeting.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Application Packet Re-Plat Request_Redacted
2. ZONING BOUNDARY CHANGE APPLICATION FORM Final Draft July 20 2020-redacted
3. ARTICLE_2_7 "H-1200-4300" HISTORICAL DISTRICT REGULATIONS (1)
4. Town Engineer Letter - Lots 1R-3R Blk 12 Shady Shores Sub 7-23-20
5. 205128-PLAT
6. 205128-CLOSURE SHEET

REVIEWED BY:

PLAT APPLICATION

APPLICANT

Name JERALD YENSAN
Company LANDMARK SURVEYORS LLC
Address 4238 I-35 N.
Town DENTON State TX
Zip 76207 Fax (940) 387-9782
Phone (940) 382-4016
E-mail LANDMARK SV @AOL.COM

OWNER (if different from applicant)

Name TOM SPENCER
Company _____
Address PO Box 2954
Town DENTON State TX
Zip 76202 Fax _____
Phone 1 7 .
E-mail _____

Action Requested (check one – please complete a new application for each action):

- ☐ Minor Plat (new subdivision of 3 or fewer lots with no new infrastructure)
- ☐ Minor Replat (existing subdivision to create 3 or fewer lots with no new infrastructure)
- ☐ Amending Plat (existing subdivision minor amendments and no new lots or infrastructure)
- ☐ Preliminary Plat or Replat (new subdivision of 4 or more lots or new infrastructure)
- ☐ Final Plat (following approval of preliminary plat and installation of new infrastructure)

Property Information:

Street address or location of property: TBD SHADY LANE

Legal description: Survey B. EAVES Abstract 388

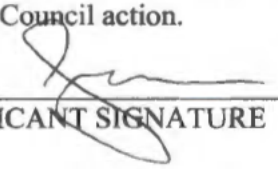
Lot 1R, 2R, 3R Block 12 Total Acreage 0.402
SHADY SHORES SUBD.

Attach a metes and bounds description.

By signing this form, the applicant is acknowledging that:

No hearing will be scheduled nor will any reviews commence until required application fees are received by the town. Fees are non-refundable regardless of outcome of request.

I JERALD YENSAN (printed applicant name) hereby waive by rights to approval through lack of Town action on the above referenced plat application within the time frames set forth in Texas Government Code Section 212.009, and I agree the plat submitted will be approved only by affirmative Town Council action.


APPLICANT SIGNATURE

7/12/2020

DATE

OWNER SIGNATURE

DATE

OFFICE USE ONLY BELOW

PRELIMINARY and MINOR PLATS/REPLATS

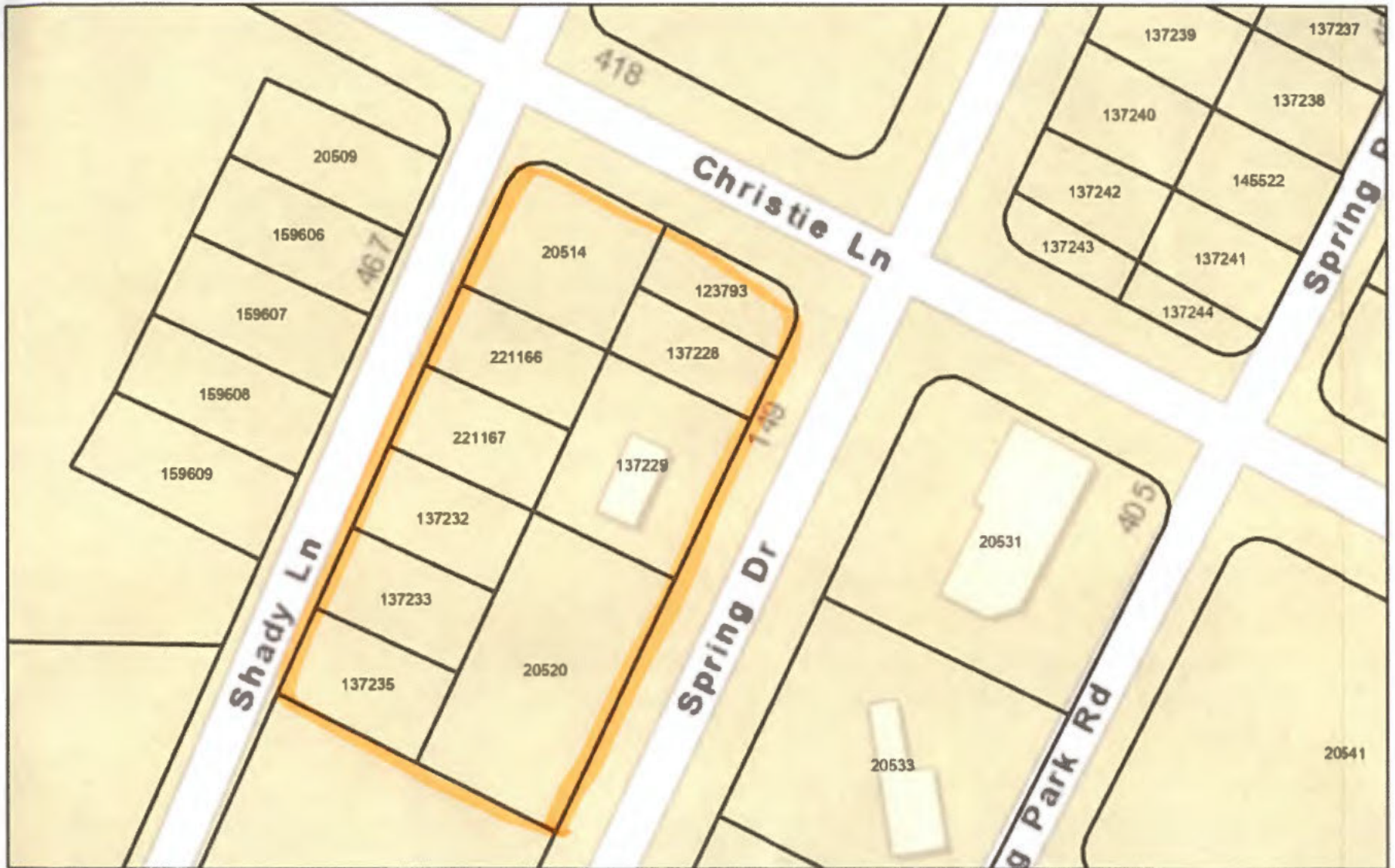
- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no

Date Received: _____

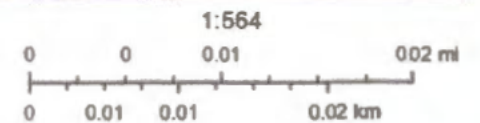
Receipt #: _____

Check #:

Denton CAD Webmap

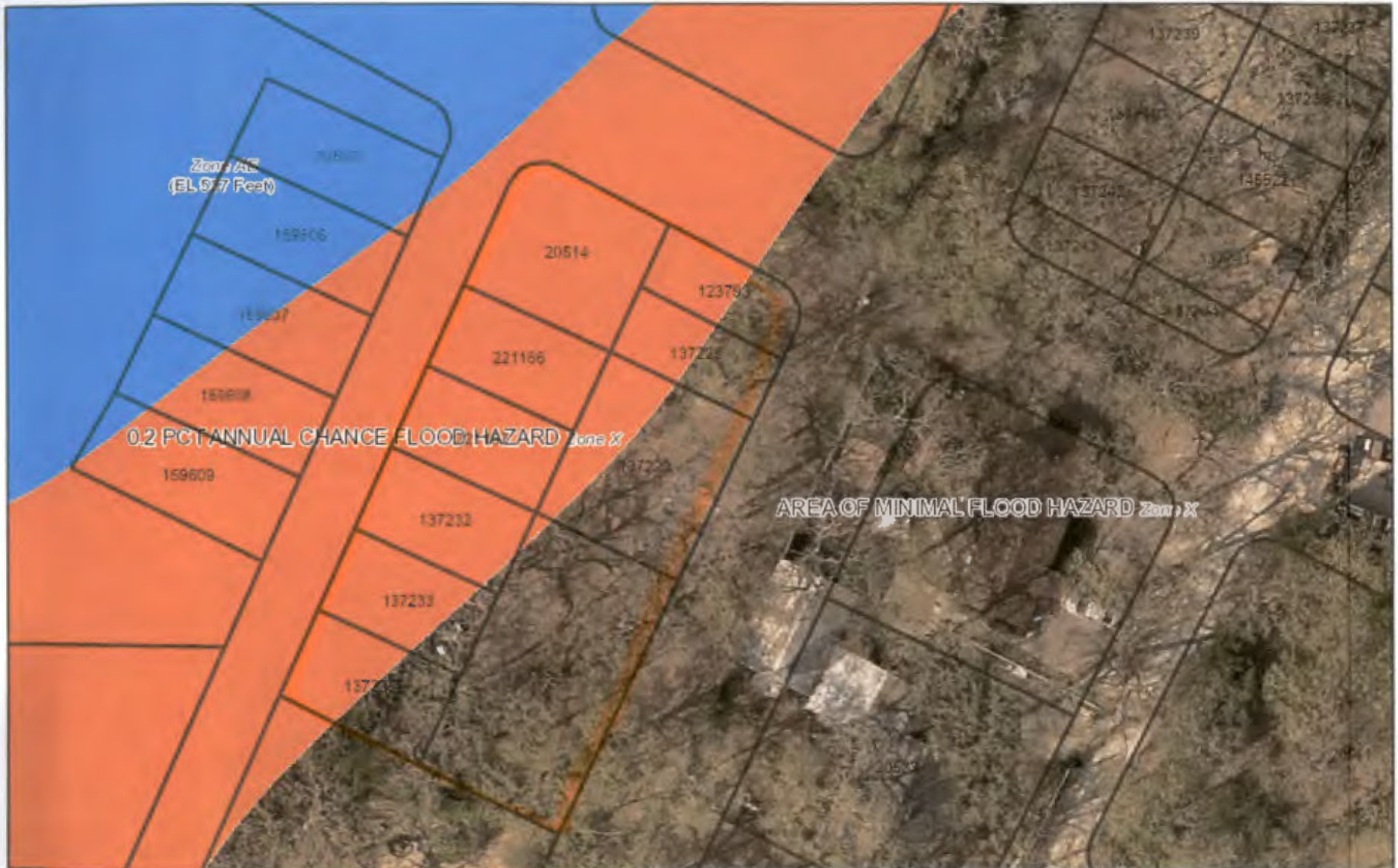


July 15, 2020

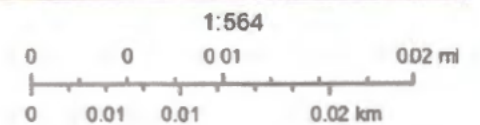


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Denton CAD Webmap



July 16, 2020

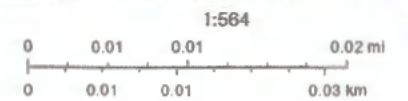


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Denton CAD Webmap



July 15, 2020



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July 23, 2020

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Town of Shady Shores
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Binkley & Barfield, Inc.
Consulting Engineers

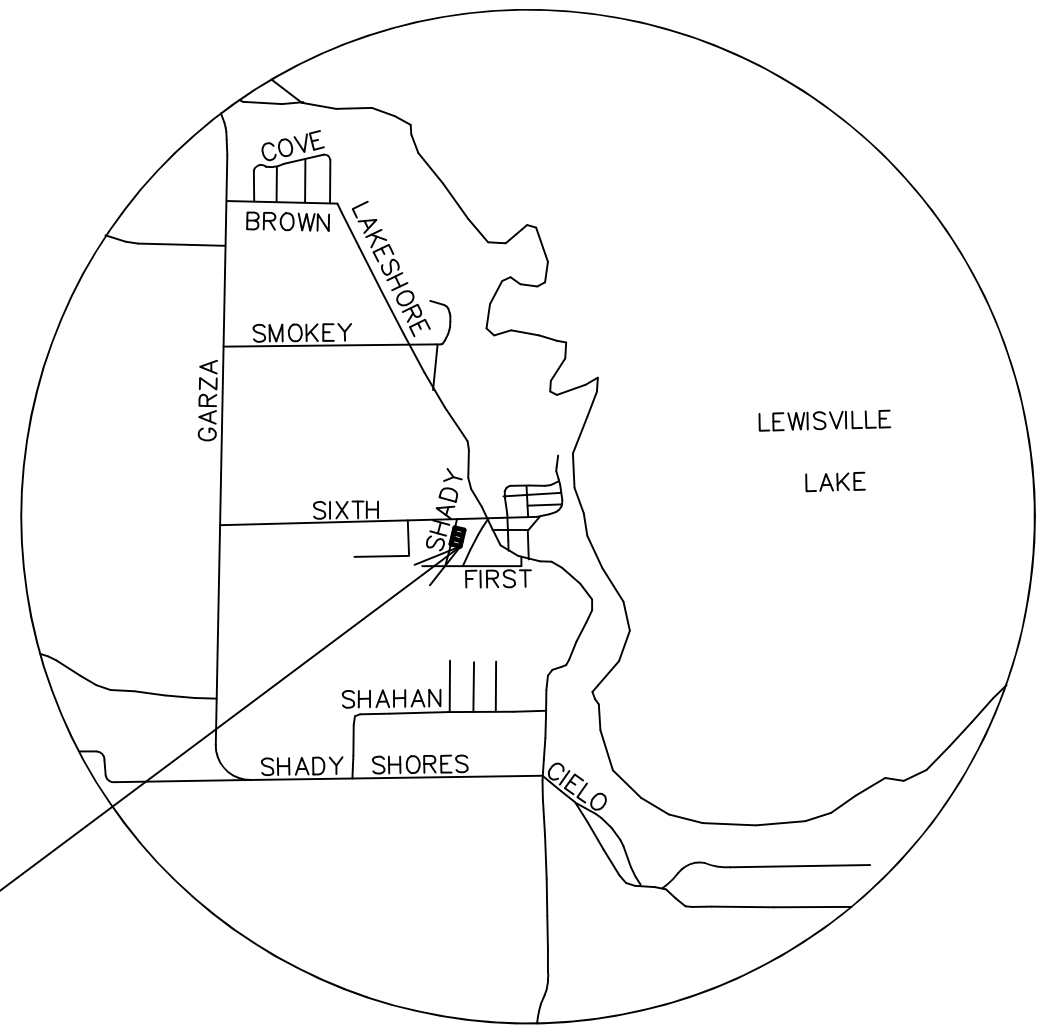
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Richard A. Arvizu, P.E., CFM
Managing Director – Municipal Infrastructure

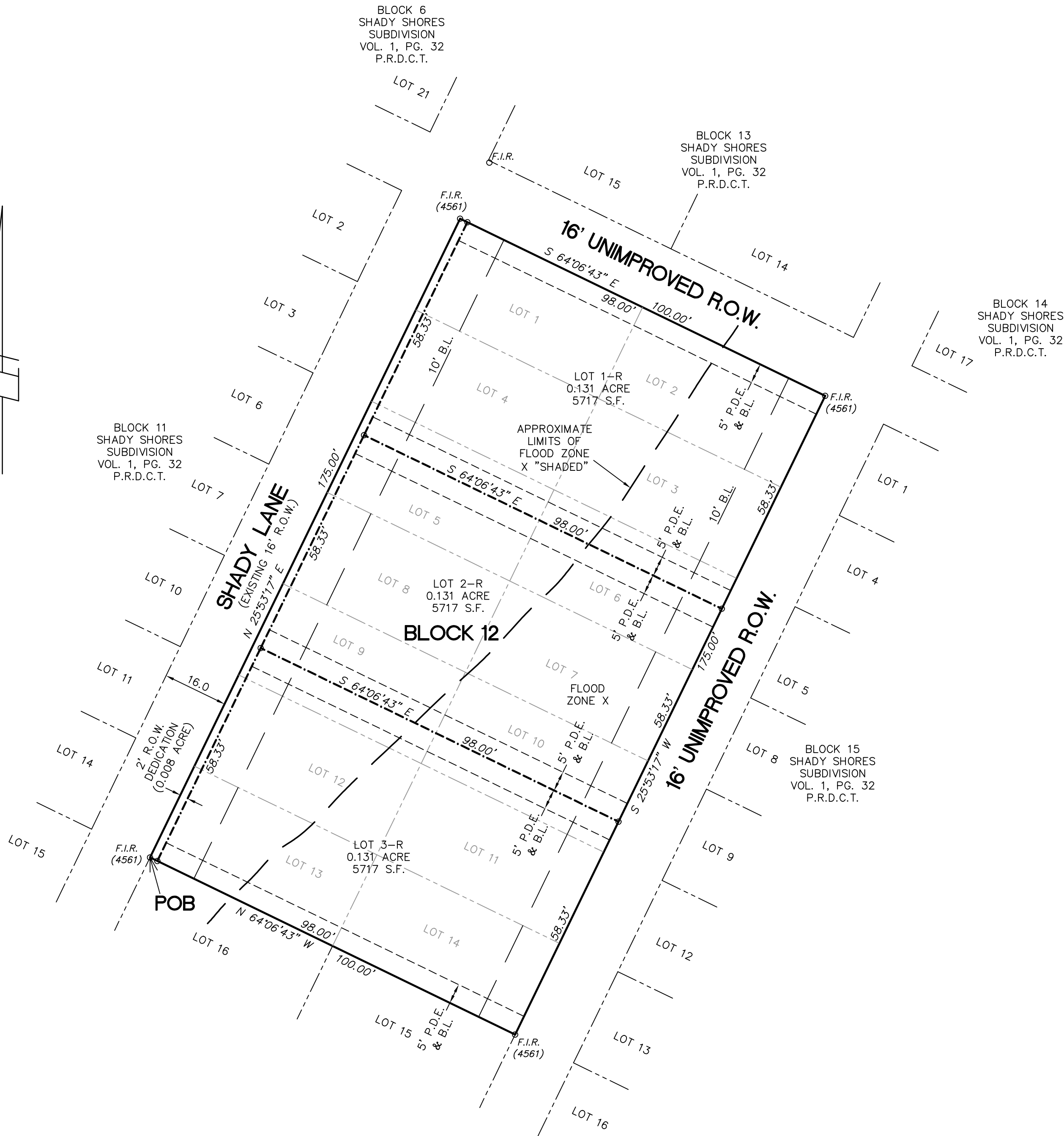
Attachment:

- Amending Final Plat

PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'



LEGEND
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P.D.E. = PRIVATE DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R. = SET CAPPED 1/2" RPLS 4561 IRON ROD
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P.A.E. = PUBLIC ACCESS EASEMENT
U.E. = UTILITY EASEMENT
W.E. = WATER EASEMENT

AMENDING FINAL PLAT
LOTS 1-R, 2-R, AND 3-R, BLOCK 12
OF SHADY SHORES SUBDIVISION
AMENDING LOTS 1-14, BLOCK 12
OF SHADY SHORES SUBDIVISION
BEING 0.402 ACRE IN THE B. EAVES SURVEY A-388
TOWN OF SHADY SHORES
DENTON COUNTY, TEXAS

LANDMARK SURVEYORS, L.L.C.
TX FIRM REGISTRATION NO. 10098600
4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 387-9784

DRAWN BY: BTH SCALE: 1"=20' DATE: 28 MAY, 2020 JOB NO: 205128

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF DENTON; WHEREAS WE, I, Tom Spencer am the owner of that certain lot, tract, or parcel of land situated in the Bartlett Eaves Survey Abstract Number 388 in the Town of Shady Shores, Denton County, Texas, being all of Lots 1 through 14, Block 12 of the Shady Shores Subdivision, an addition to the Town of Shady Shores, Denton County, Texas according to the plat thereof recorded in Volume 1, Page 32, Plat Records, Denton County, Texas, and being more particularly described as follows:
BEGINNING at a capped iron rod marked RPLS 4561 found for corner in the east line of Shady Lane, a public roadway having a right-of-way of 16.0 feet, said point being the northwest corner of Lot 16 in said Block 12 of said Shady Shores Subdivision;

THENCE N 25° 53' 17" E, 175.00 feet with said east line of said east line of said Shady Lane to a capped iron rod marked RPLS 4561 found for corner in the south line of a 16.0 foot unimproved right-of-way;

THENCE S 64° 06' 43" E, 100.00 feet with said south line of said unimproved right-of-way to a capped iron rod marked RPLS 4561 found for corner in the west line of a 16.0 foot unimproved right-of-way;

THENCE S 25° 53' 17" W, 175.00 feet with said west line of said unimproved right-of-way to a capped iron rod marked RPLS 4561 found for corner, said point being the northeast corner of Lot 15 in said Block 12;

THENCE N 64° 06' 43" W, 100.00 feet with the north line of said Lots 15 and 16 to the PLACE OF BEGINNING and containing 0.402 acre of land, of which 0.008 acre is hereby dedicated for public roadway.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT WE, the aforesaid do hereby adopt this plat designating the herein above tract as LOTS 1-R, 2-R AND 3-R, BLOCK 12 OF SHADY SHORES SUBDIVISION, amending Lots 1 through 14, Block 12 of Shady Shores Subdivision, an addition to the Town of Shady Shores, Denton County, Texas, and do hereby dedicate to the public use forever all road and utility easements, drainage easements, and streets as shown hereon. Any public utility, including the Town of Shady Shores shall have the right to move and keep moved all or part of any building, fences, trees, shrubs other growths or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of the easements shown on the plat. Any public utility including the Town of Shady Shores shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

WITNESS MY HAND this ____ day of _____, 2020

Tom Spencer

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on _____, 2020 by Tom Spencer.

NOTARY PUBLIC
STATE OF TEXAS

RECOMMENDED FOR APPROVAL
Recommended for approval this _____ day of _____, A. D. 2020 by the Planning and Zoning Commission, Town of Shady Shores

Chairperson, Planning and Zoning, Town of Shady Shores

APPROVED
Approved this _____ day of _____, A. D. 2020 by the Town Council, Town of Shady Shores

Mayor, Town of Shady Shores

ATTESTED

Town Secretary

CERTIFICATE OF SURVEYOR

I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jerald D. Yensan
Registered Professional Land Surveyor No. 4561

- NOTES:
1. The purpose of this Plat is to reduce 14 lots into three residential lots.
 2. Cross-lot drainage is not permitted.
 3. Private plumbing will not be allowed to cross property lines.
 4. All private drainage easements are to be maintained by the property owner.
 5. Only portion shown of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Denton County and Incorporated Area, Map Number 48121CO391H, dated June 19, 2020. (Subject property lies in Zone X (shaded) and Zone X.)
 6. Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.
 7. Minimum finished floor (FF) elevations for Lots 1R, 2R and 3R shall be 539' (NAVD 88)
 8. Property lines for Lots 1-14, Block 12 to be abandoned per this plat.

OWNER/DEVELOPER
TOM SPENCER
PO BOX 2954
DENTON, TX 76202

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

Lot Closure Report - Lot : 1R, 2R, 3R

=====

file- C:\Users\Public\MICROSURVEY JOBS\JOBS2020\205128\205128.msx\lc_1R, 2R, 3R.txt
Thursday, July 23, 2020, 3:35:27p.m.

Starting location (North, East) = (7109763.201, 2417626.813)

(In the table below, the Length of Curves refers to the chord length.
and the Bearing of Curves refers to the chord bearing.)

Leg	Segment	Bearing	Length	Front	End_Northing	End_Easting
---	-----	-----	-----	-----	-----	-----
1	Line	N25°53'17"E	175.000	No	7109920.640	2417703.221
2	Line	S64°06'43"E	100.000	No	7109876.978	2417793.186
3	Line	S25°53'17"W	175.000	No	7109719.540	2417716.778
4	Line	N64°06'43"W	100.000	No	7109763.201	2417626.813

Ending location (North, East) = (7109763.201, 2417626.813)

Total Distance : 550.000
Total Traverse Stations : 5
Misclosure Distance : < 0.001000
Error of Closure : 1:INFINITY
Frontage : 0.000
Frontage/Perimeter : 0.0 percent
AREA : 17500.000 sq. ft.
= 0.401745 Acres



AGENDA MEMORANDUM

DATE: August 6, 2020

TO: Planning and Zoning Commission

FROM: Wendy Withers, Town Administrator

SUBJECT: **Public Hearing- Conduct a public hearing relative to apporval of a final plat for Hidden Valley Airpark Phase VI.**
A) Open Public Hearing
B) Applicant
C) Those in favor
D) Those Opposed
E) Rebuttal, if desired
F) Close Public Hearing

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: August 6, 2020
TO: Planning and Zoning Commission
FROM: Wendy Withers, Town Administrator
SUBJECT: Hidden Valley Phase VI- Consider and act on approval of a final plat for Hidden Valley Airpark Phase VI

BACKGROUND/INFORMATION:

Consider a request made by Hidden Valley Airpark for approval of Preliminary Plat of the property to be known as Hidden Valley Airpark Phase VI. The property is more legally described as; A0330A W. Durham, TR 123A, 18.65 ACRES. The preliminary plat proposes 15-1 acre lots.

The requestor is also requesting the following variances to the Subdivision Ordinance:

Regarding the variances, we are requesting the drainage ditch slopes of the west side of lot #84 be accepted as presently designed. Since HVAA will be responsible for any maintenance on this property (and not the city), we don't see it as an issue. To summarize the 'variances' on private HVAA maintained property:

1. ROW road clearing widths (HVAA wing and PDEs and UEs)-previously accepted
2. Pavement widths (match HVAA standards)-previously accepted
3. Lot 84 west side grass slopes to inlet
4. 36" pipe bend- manhole unnecessary
5. lot 34 permanent easement width for storm pipe at 10' wide (lot owner restriction).

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2020.07.27 HVAA FP

2. HVAACOEWetlands letter
3. 4300174_Shady_Shores_DelineationReport_11_8_2018

REVIEWED BY:



August 5, 2020

Mayor Cindy Aughinbaugh
Town of Shady Shores
101 S. Shady Shores Rd.
Shady Shores, Texas 76208

Re: Plat Approval Request for Lots 84-98, 1X, & 2X, Block A, Hidden Valley Airpark Phase VI

Honorable Mayor Aughinbaugh:

The Final Plat and Construction Plans along with the Auxiliary Construction Set both dated 7/28/2020 were received from The John R. McAdams Company, Inc. on behalf of Hidden Valley Airpark Association (HVAA). It is understood that the applicant is seeking variances from Town ordinances for the following:

1. Right-of-Way width of 50 feet versus 60 feet (not including Wing & Drainage Easements and Utility Easements)
2. Pavement widths of 20 feet versus 27 feet
3. A 45-degree bend in the 36-inch diameter storm sewer without a manhole at the bend (within the drainage easement)
4. A permanent drainage easement width of 10 feet versus 16 feet for the 36-inch storm sewer offsite along Lot 34.

It is understood that items 1 – 2 meet the standards of HVAA and have been previously discussed. Concerning, items 3 – 4 above, it is understood that the applicant is agreeable to the reduced requirements and the maintenance issues that may result from flatter channel grades, limited access to storm sewer pipe at a bend, and constraints associated with a narrower drainage easement. Furthermore, it is understood that item 4 above is due to the restriction of the owner of the lot the easement crosses.

At the time of my review, the following issues still remain:

1. The geotechnical report I received on 7/17/20 does not have a percent (%) cement (lbs/square yard) recommendation as required per ordinance. Instead, the report states "Detailed treatment and application recommendation as well as warranty information should be obtained from the manufacturer." This recommendation needs to be made by the geotechnical engineer for the project, needs to be included in the report or addendum to the report, and needs to be noted in the plans where applicable.

It should be noted that Lake Cities Municipal Utility Authority (LCMUA) has not yet approved the plans. It is understood that LCMUA is waiting for the Town to approve the plans and variances, including the right-of-way widths, etc. before it will do so. Any final approval by the Town of Shady Shores should be contingent on the approval of LCMUA as well.

Based on my review of the submitted information by The John R. McAdams Company, Inc. on behalf of Hidden Valley Airpark Association and provided the remaining issues mentioned above are addressed and the engineer of record signs and seals the plans, I recommend the Planning and Zoning Commission and Town Council consider approving the variance requests and plat.

Sincerely,

Binkley & Barfield, Inc.
Consulting Engineers

A handwritten signature in black ink, appearing to read 'Richard A. Arvizu', written over a light blue grid background.

Richard A. Arvizu, P.E., CFM
Managing Director – Infrastructure



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

May 22, 2019

Regulatory Division

SUBJECT: Project Number SWF-2018-00496, Hidden Valley Airpark Phase VI

Ms. Mary McDowell
Hidden Valley Airpark Association
99 Hidden Valley Airpark
Shady Shores, Texas 76208

Dear Ms. McDowell:

This letter is in regard to information received December 19, 2018 and subsequent submittal received on April 4, 2019, concerning the proposal by Hidden Valley Airpark Association to construct a residential development with associated infrastructure located in Shady Shores, Denton County, Texas. This project has been assigned Project Number SWF-2018-00496. Please include this number in all future correspondence concerning this project.

Under Section 404 of the Clean Water Act the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. USACE responsibility under Section 10 of the Rivers and Harbors Act of 1899 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, and other information available to us, we have determined this project will not involve activities subject to the requirements of Section 404 or Section 10. Therefore, it will not require Department of the Army authorization pursuant to Section 404 and/or Section 10.

The USACE based this decision on an approved jurisdictional determination (JD) that there are no waters of the United States on the project site. The basis of this approved JD is enclosed. This approved JD is valid for a period of no more than five years from the date of this letter unless new information warrants revision of the delineation before the expiration date.

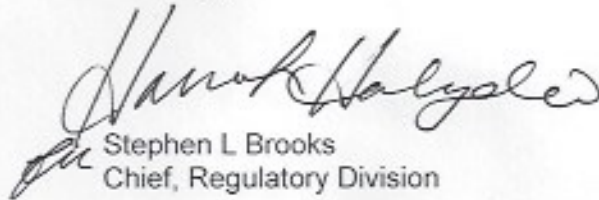
The Applicant may accept or appeal this approved JD or provide new information in accordance with the enclosed Notification of Administration Appeal Options and Process and Request for Appeal (NAAOP-RFA). If the Applicant elects to appeal this approved JD, the Applicant must complete Section II (Request for Appeal or Objections to an Initial Proffered Permit) of the enclosure and return it to the Division Engineer, ATTN: CESWD-PD-O Appeals Review Officer, U.S. Army Corps of Engineers, 1100 Commerce Street Suite 831, Dallas, Texas 75242-0216 within 60 days of the date of this notice. Failure to notify the USACE within 60 days of the date of this notice means you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please refer to our website at

<http://www.swf.usace.army.mil/Missions/Regulatory> or contact Ms. Hannah Halydier at the address above or telephone (817) 886-1745 and refer to your assigned project number.

Please help the regulatory program improve its service by completing the survey on the following website: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

Sincerely,



Stephen L. Brooks
Chief, Regulatory Division

Copy Furnished (w/ enclosures):

Mr. Joseph Schwartz
GES, Inc.
101 E. Southwest Parkway, Suite 114
Lewisville, Texas 75067

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Hidden Valley Airpark Association		File Number: SWF-2018-00496	Date:
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an 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 object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer 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.
- **OBJECT:** 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 district engineer. Your objections must be received by the district engineer 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 district engineer 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 district engineer 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 district engineer 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 division engineer. This form must be received by the division engineer 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 division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **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 division engineer. This form must be received by the division engineer 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 - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

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.)

ADDITIONAL INFORMATION: The appeal 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 record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

If you only have questions regarding the appeal process you may also contact:

Mr. Elliott Carman
Administrative Appeals Review Officer (CESWD-PD-O)
U.S. Army Corps of Engineers
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
469-487-7061

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 24 April 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SWF-2018-00496, Hidden Valley Airpark Phase VI

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Denton City: Shady Shores

Center coordinates of site (lat/long in degree decimal format): Lat. 33.172495° N, Long. -97.046682° E

Universal Transverse Mercator: 682129.202497, 3672109.114901

Name of nearest waterbody: Unnamed tributary to Lewisville Lake.

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Elm Fork of the Trinity River

Name of watershed or Hydrologic Unit Code (HUC): HUC 12 - 120301030902

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: 22 March 2019

☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- ☐ TNWs, including territorial seas
- ☐ Wetlands adjacent to TNWs
- ☐ Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- ☐ Non-RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- ☐ Impoundments of jurisdictional waters
- ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.
Wetlands: acres.

c. Limits (boundaries) of jurisdiction based on: Pick List

Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: The potential waters of the U.S. on site consist of one open water pond and 4 emergent wetlands.

The pond was constructed in uplands, and has an associated wetland along its northeastern and southern edges (Wetland 1) and a separate wetland (Wetland 2) located west of the pond. The pond and two wetlands drain into a drainage swale feature that lacked an observable OHWM or any contiguous connection to downstream water, into a culvert under the

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

roadway, and into a man made drainage channel that was constructed for aesthetics. Because no OIWM exists and there is no connection to downstream waters of the U.S., the pond, Wetland 1, and Wetland 2 are not waters of the U.S. Wetlands 3 and 4 are located within the southern portion of the site, and were created from quarry mining activities within an upland area that has been abandoned. They are both surrounded by uplands and occur due to ponding and sheet flow into a depression, low area of the landscape. Neither Wetland 3 or Wetland 4 have any observable direct downgradient surface water connection to a jurisdictional aquatic feature, therefore they are not waters of the U.S.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent":

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: Pick List

Drainage area: Pick List

Average annual rainfall: _____ inches

Average annual snowfall: _____ inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☐ Tributary flows through Pick List tributaries before entering TNW.

Project waters are Pick List river miles from TNW.

Project waters are Pick List river miles from RPW.

Project waters are Pick List aerial (straight) miles from TNW.

Project waters are Pick List aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW⁵:

Tributary stream order, if known:

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☐ Natural
☐ Artificial (man-made). Explain:
☐ Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: feet
Average depth: feet
Average side slopes: Pick List

Primary tributary substrate composition (check all that apply):

☐ Silts	☐ Sands	☐ Concrete
☐ Cobbles	☐ Gravel	☐ Muck
☐ Bedrock	☐ Vegetation. Type/% cover:	
☐ Other. Explain:		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: Pick List

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: Pick List

Estimate average number of flow events in review area/year: Pick List

Describe flow regime:

Other information on duration and volume:

Surface flow is: Pick List. Characteristics:

Subsurface flow: Pick List. Explain findings:

☐ Dye (or other) test performed:

Tributary has (check all that apply):

☐ Bed and banks	
☐ OHWM ⁶ (check all indicators that apply):	
☐ clear, natural line impressed on the bank	☐ the presence of litter and debris
☐ changes in the character of soil	☐ destruction of terrestrial vegetation
☐ shelving	☐ the presence of wrack line
☐ vegetation matted down, bent, or absent	☐ sediment sorting
☐ leaf litter disturbed or washed away	☐ scour
☐ sediment deposition	☐ multiple observed or predicted flow events
☐ water staining	☐ abrupt change in plant community
☐ other (list):	
☐ Discontinuous OHWM. ⁷ Explain:	

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☐ High Tide Line indicated by:	☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects	☐ survey to available datum;
☐ fine shell or debris deposits (foreshore)	☐ physical markings;
☐ physical markings/characteristics	☐ vegetation lines/changes in vegetation types.
☐ tidal gauges	
☐ other (list):	

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain:

Identify specific pollutants, if known:

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian corridor. Characteristics (type, average width):
- ☐ Wetland fringe. Characteristics:
- ☐ Habitat for:
 - ☐ Federally Listed species. Explain findings:
 - ☐ Fish/spawn areas. Explain findings:
 - ☐ Other environmentally-sensitive species. Explain findings:
 - ☐ Aquatic/wildlife diversity. Explain findings:

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: Pick List. Explain:

Surface flow is: Pick List

Characteristics:

Subsurface flow: Pick List. Explain findings:

☐ Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

- ☐ Directly abutting
- ☐ Not directly abutting
 - ☐ Discrete wetland hydrologic connection. Explain:
 - ☐ Ecological connection. Explain:
 - ☐ Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are Pick List river miles from TNW.

Project waters are Pick List aerial (straight) miles from TNW.

Flow is from: Pick List.

Estimate approximate location of wetland as within the Pick List floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian buffer. Characteristics (type, average width):
- ☐ Vegetation type/percent cover. Explain:
- ☐ Habitat for:
 - ☐ Federally Listed species. Explain findings:
 - ☐ Fish/spawn areas. Explain findings:
 - ☐ Other environmentally-sensitive species. Explain findings:
 - ☐ Aquatic/wildlife diversity. Explain findings:

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: Pick List

Approximately () acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)

Size (in acres)

Directly abuts? (Y/N)

Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:

☐ TNWs: linear feet width (ft), Or, acres.

☐ Wetlands adjacent to TNWs: acres.

2. RPWs that flow directly or indirectly into TNWs.

☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:

☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

☐ Tributary waters: linear feet width (ft).

☐ Other non-wetland waters: acres.

Identify type(s) of waters: .

3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**

- ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

☐ Tributary waters: linear feet width (ft).

☐ Other non-wetland waters: acres.

Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.

☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.⁹**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

☐ Demonstrate that impoundment was created from "waters of the U.S.," or

☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or

☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. **ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰**

☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.

☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

☐ which are or could be used for industrial purposes by industries in interstate commerce.

☐ Interstate isolated waters. Explain: .

☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following *Rapanos*.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☒ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
☒ Lakes/ponds: 0.5 acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☒ Wetlands: 0.163 acres.

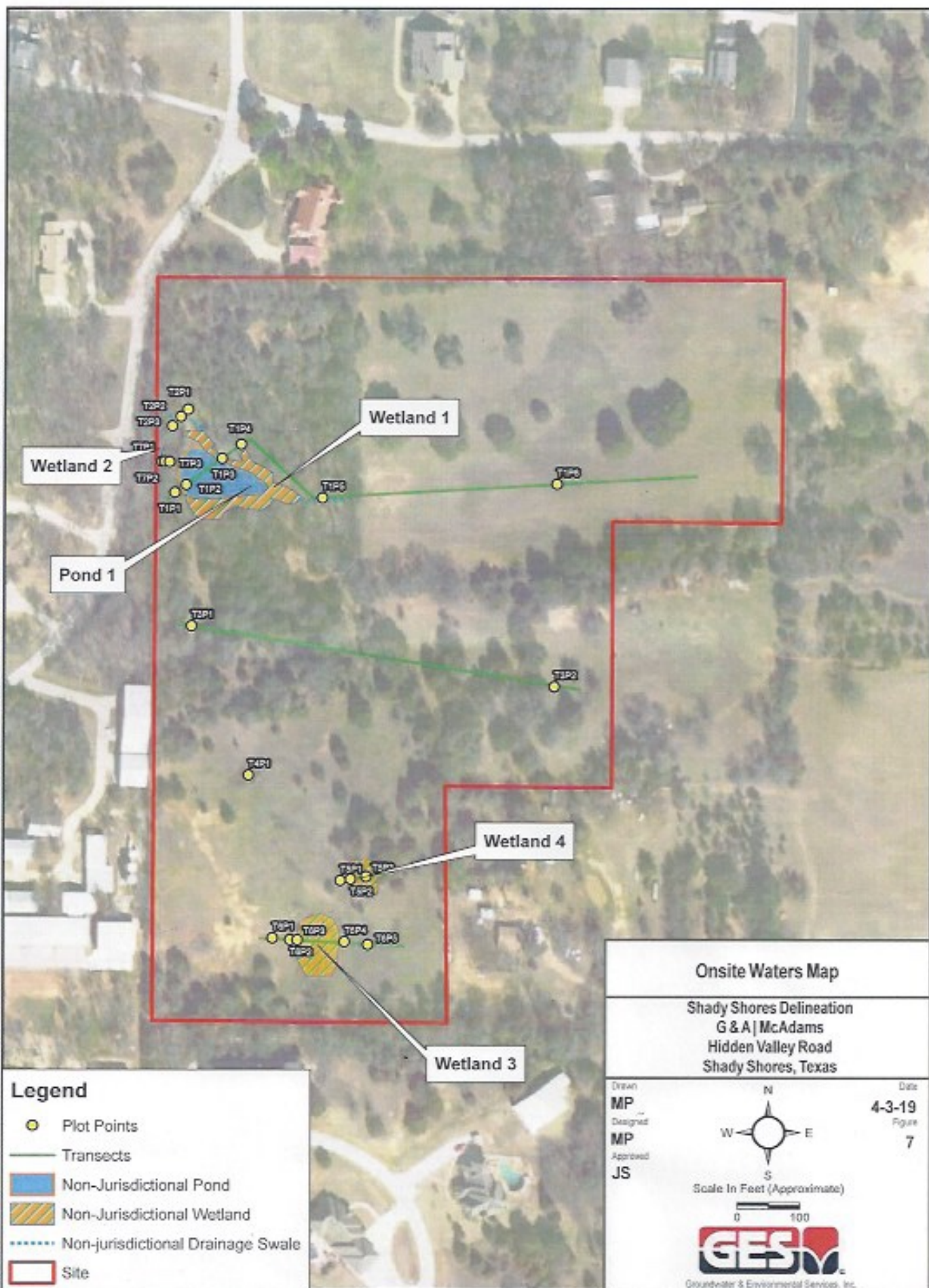
SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Jurisdictional Waters Map.
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☒ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☐ U.S. Geological Survey Hydrologic Atlas: .
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: 1991 Edition, Denton County, 500 foot scale.
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: USDA Soils Map.
☐ National wetlands inventory map(s). Cite name: .
☐ State/Local wetland inventory map(s): .
☒ FEMA/FIRM maps: FEMA Flood Hazard Zones Map.
☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date): 1996 Aerial Photograph, 2006 Aerial Photograph, 2016 Aerial Photograph.
or ☒ Other (Name & Date): Site Photographs (Submitted with application).
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD:

L:\Projects\GES\Projects\Q and A - G&A\McAdams\ShadyShoresTX\HiddenValley 4300176\GIS\MXD\On-site Waters Map.mxd - Scale 1:2,400 - 4/3/2019 2:36:48 PM - R Cohen - NAD 1983 UTM Zone 14N



G&A | McAdams

Delineation of Waters of the United States

Proposed Development in Shady Shores, Texas
East and South of Hidden Valley Road
Shady Shores, Denton County, Texas

November 8, 2018





Shady Shores Site Delineation

Delineation of Waters of the United States
Proposed Development
East and South of Hidden Valley Road
Shady Shores, Denton County, Texas

Prepared for:
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4300174.92260.26002

Date:
November 8, 2018

A blue ink signature of Jared Cobb, written in a cursive style.

Jared Cobb
Project Environmental Scientist

A blue ink signature of Joseph Schwartz, written in a cursive style.

Joseph Schwartz
Principal Environmental Scientist

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Table 2: Summary of Field Data for Community Type C and E

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Figure 1 – Site Location Map

Figure 2 – Federal Emergency Management Agency (FEMA) Flood Hazard Boundaries (GIS Web Services)

Figures 3a-3e – United States Geological Survey Topographic Map (Denton County Mosaic, Texas), (NRCS 2018)



Figure 4 – U. S. Fish and Wildlife Service (USFWS) National Wetlands Inventory Map

Figure 5 – USDA Soils Map (Denton County, Texas, NRCS 2018)

Figures 6a-6c – Historic Aerial Photographs

Figures 7a-7c – Jurisdictional Waters Map

Appendices

Appendix A – Data Forms

Appendix B – Site Photographs

1 Introduction

Groundwater and Environmental Services, Inc. (GES.) performed a delineation of wetlands and other potential "waters of the United States" (as defined by the Clean Water Act) for an approximately 19.3-acre tract located east and south of Hidden Valley Road in Shady Shores, Texas, hereafter referred to as the study area. "Waters of the U.S." are referred to herein as "jurisdictional" waters, as they are potentially subject to federal regulation pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899 under the jurisdiction of the U.S. Army Corps of Engineers (USACE). The field assessment was performed by Madison Peters and Ryan Cohen on September 12, 2018.

1.2 Study Area

The study area is an approximately 19.3-acre tract located east and south of Hidden Valley Road in Shady Shores, Texas (**Figure 1**). The majority of the site consists of pasture with occasional sparsely forested areas and an open pit quarry. The site presently is used for livestock grazing. The site is adjoined by rural residential development.

2 Desktop Data Gathering and Analysis

Prior to the field assessment, background data was gathered and reviewed to preliminarily identify surface aquatic features within the study area. The data gathered and reviewed are described below.

2.1 Federal Emergency Management Agency - Flood Insurance Rate Map

The Federal Emergency Management Agency (FEMA) Web Mapping Service (WMS) Web Server Data 2018 depicts the study area located outside the limits of the FEMA mapped 100-year floodplain and 500-year floodplains and is located in Zone X, unshaded. A mapped floodplain is depicted approximately 200 feet northwest of the study area. The FEMA Flood Hazard Zones Map is provided as **Figure 2**.

2.2 United States Geologic Survey - Topographic Map

The 1960 (1962 edition), 1960 (1969 edition), 1960 (1974 edition), 1960 (1985 edition), and 1960 (1991 edition) United States Geologic Survey (USGS) 7.5-Minute Topographic Maps (Denton East, Texas Quadrangle) of the study area were reviewed to identify drainages or potential surface aquatic features within the study area. The topographic maps depict the study area elevation to be between 570-590 feet above mean sea level (msl). The topographic maps depict the majority of the study area as vegetated forest cover (green shading). The south portion of the study area is depicted as unimproved land (no shading). The topographic maps depict a quarry or open pit mine surrounded by approximate or indefinite contour lines in the south portion of the study area. Sometime between the 1962 and 1969 map editions a dry lake/pond appears in the northwest portion of the study area. This feature is depicted as purple indicating a feature change on the subsequent map editions. The 1962 map edition did not depict other historic waterbodies prior to the dry lake/pond forming. The USGS Topographic Map is provided as **Figures 3a-3e**.

2.3 United States Fish and Wildlife Service - National Wetlands Inventory

The United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) Wetlands Mapper depicts surface waters regardless of their federal or state jurisdiction. The USFWS National Wetlands Inventory Map is provided as **Figure 4**. NWI features mapped within the study area are summarized in the following.

Feature Type	Description	Location(s)
PUBHh	Palustrine, unconsolidated bottom, diked/impounded area that is permanently flooded	Northwest portion of the study area
PUSCh	Palustrine, unconsolidated shore, diked/impounded area that is seasonally flooded	South central portion of the study area

2.4 United States Department of Agriculture – Web Soil Survey

Soils on the project site are described in the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) was reviewed to characterize the study area's soils. The USDA Soils Map is provided as **Figure 5**. Soil units mapped within the study area are summarized in the following.

Map Unit Symbol	Map Unit Name	Landform	Natural Drainage Class	Frequency of Ponding	Frequency of Flooding	Depth to Water Table	Hydric Soil Rating
13	Birome-Rayex-Aubrey complex, 2 to 15 percent slopes	Ridges	Well Drained	None	None	More than 80 inches	No
35	Gasil fine sandy loam, 1 to 3 percent slopes	Ridges	Well Drained	None	None	More than 80 inches	No
72	Silstid loamy fine sand, 1 to 5 percent slopes	Ridges	Well Drained	None	None	More than 80 inches	No

2.5 Historic Aerial Photographs

The Texas Natural Resources Information System (TNRIS) 1996, 2006, and 2016 Digital Orthophoto Quarter Quads (DOQQ) Denton East Imagery were reviewed to identify depression areas and surface aquatic features. The aerial photographs depict the study area as herbaceous coverage with some tree and sapling/shrub communities in the northwest and southeast portions of the study area. The 1996 aerial photograph depicts two inundated areas, one in the northwest portion of the study area and the other in the south central portion of the study area. Land scarring is depicted in the southwest. The 2006 aerial photograph depicts the inundated area in the northwest. The south central inundated area appears as a depression area with no surface water. Both inundated areas are depicted on the 2016 aerial photograph. Additional land scarring is evident in the southwest and south portions. The aerial photographs are provided as **Figures 6a-6c**.

2.6 Agriculture Applied Climate Information System - Climatic Hydrology Index

NRCS Agriculture Applied Climate Information System (AgACIS) data was downloaded and reviewed using the Direct Antecedent Rainfall Evaluation Method (DAREM). The DAREM provided a wetland hydrology index of climatic conditions. Rainfall data were obtained from the Denton 2 SE weather station; which is the nearest weather station to the study area with the range of historic data available to calculate the DAREM. The DAREM indicated the study area experienced a wetter than normal hydrologic condition. The DAREM index data during the field assessment is summarized in the following.

Month Ranking	Month	WETS Percentile		Measured Rainfall ¹	Condition ²	Weight ³	Month Score
		30 th	70 th				
1st	September	1.33	3.83	9.50	3	3	9
2nd	August	1.05	2.79	6.68	3	2	6
3rd	July	0.87	2.72	0.07	1	1	1
Total:							16

¹ Measured rainfall recorded at the weather station.

² Condition: 1 = monthly rainfall totals less than the 30-year Extreme Rainfall Distribution 30th percentile, 2 = monthly rainfall totals between the 30th and 70th percentile for the 30-year Extreme Rainfall Distribution, 3 = monthly rainfalls totals greater than the 70th percentile for the 30-year Extreme Rainfall Distribution.

³Monthly weights equal 3 for the prior month, 2 for the second prior month, and 1 for the third prior month.

DAREM Score (Observed Score)	6	7	8	9	10	11	12	13	14	15	<u>16</u>	17	18
DAREM Wetland Hydrologic Condition	Drier than normal				Normal						<u>Wetter than normal</u>		

3 Field Methodology

3.1 General

After review of background data, the field delineation was performed in accordance with the USACE Wetland Delineation Manual (USACE 1987), as later amended by USACE memoranda, and the Regional Supplement for the Great Plains Region (USACE 2010).

The study area was traversed in the form of seven transects. Transects were selected to run perpendicular to the hydrological gradients and intercept suspected wetland areas and other jurisdictional features, based on the aforementioned review of available documents. On each transect, a minimum of one plot was evaluated for each community type that was evidenced by a change in dominant vegetation type or hydrology. Visual observations of hydrology and vegetation were used to further characterize the size and extent of onsite jurisdictional features. Changes in community types denoting boundaries of jurisdictional features were mapped with the collection of GPS coordinates. This allows for jurisdictional features to be delineated in areas between delineation transects.

Field observations were recorded on a Corps of Engineers Wetland Determination Data Form – Great Plains Region (forms taken from USACE, 2010) (**Appendix B**). Photographs were taken from various positions at the site (**Appendix C**). Jurisdictional waters and delineation transects are shown on **Figures 7a-7c**.

3.2 Streams

Streams are identified as channels that have regular flow at a frequency and duration resulting in the formation of ordinary high water marks (OHWM). The OHWM is defined as “the line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.”

3.3 Wetlands

Wetlands are defined as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include but are not limited to swamps, marshes, bogs, and similar areas. Wetlands have the following three diagnostic environmental characteristics: hydrophytic (or wetland) vegetation, wetland hydrology, and hydric soils. Evidence of all three parameters must be found in order to make a positive wetland determination.

3.4 Vegetation

The plant species in each vegetation stratum in the immediate vicinity of the plot were identified and recorded. The plot radius for each stratum is indicated on the Wetland Determination Data Form. For rapid delineations in relatively simple plant communities, dominant species were selected visually using the 50/20 Rule as a general guide. Dominant species were chosen independently from each stratum of the community. In general, dominant species were the most abundant species that individually or collectively account for more than 50 percent of the total coverage of vegetation in the stratum, plus any other species that, by itself, accounts for at least 20 percent of the total. Absolute percent cover is the recommended abundance measure for plants in all vegetation strata.

Hydrophytic vegetation decisions were based on the wetland indicator status (Lichvar, et al 2016) of species that make up the plant community. The indicator status for vegetation in USDA Land Resource Great Plains subregion was recorded for each of the species listed. The following abbreviations were used on the data forms:

OBL:	Obligate wetland plants
FACW:	Facultative wetland plants
FAC:	Facultative plants
FACU:	Facultative upland plants
UPL:	Upland plants

The dominance test is the basic hydrophytic vegetation indicator, and is used in most situations. This test indicates that hydrophytic vegetation is present at the observation point when more than 50 percent of the dominant species have an indicator status of OBL, FACW, and/or FAC. If indicators of hydric soil and wetland hydrology are present on the site, but the vegetation initially fails the dominance test, then the prevalence index is used. The prevalence index is a weighted-average wetland indicator status of all plant species in the sampling plot, where each indicator status category is given a numeric code and weighting is by absolute percent cover.

For species listed as NI (reviewed but given no regional indicator) or NO (no known occurrence in the region at the time the list was compiled), the indicator status assigned to the species in the nearest adjacent region is applied. If the species is listed but no adjacent regional indicator is assigned, the species is not used to calculate hydrophytic vegetation indicators. Species that are not listed on the wetland plant list are considered to be UPL species.

3.5 Soils

Information regarding soils was recorded for each community at the site. A soil sample of at least the upper 16 inches was examined. The color of the matrix and any redox features in the sample were determined for each apparent layer in the sample using a soil color chart (Munsell, 1994). Indicators of iron and manganese reduction, translocation, or accumulation, sulfate reduction, or organic matter accumulation were recorded. Soil characteristics were reported on the data form and checked against the mapped soil type to determine if the mapped soil type appeared to be

accurate for the plot. A hydric soil indicator was chosen for the plot if the observed characteristics matched the conditions of the listed indicators for the Great Plains Region.

3.6 Hydrology

At each plot, visual indications of wetland hydrology were recorded. Wetland hydrology indicators fall into four groups:

1. Group A – Observation of surface water or saturated soils
2. Group B – Evidence of recent inundation
3. Group C – Evidence of current or recent soil saturation
4. Group D – Evidence from other site conditions or data

Additionally, the result of the FAC-neutral test was recorded. The FAC-neutral test is determined by first eliminating all FAC species from consideration. The FAC-Neutral test is positive if the number of remaining dominant species wetter than FAC (OBL, FACW) are greater than the number of dominant species drier than FAC (UPL, FACU). The FAC-neutral test is a Group D indicator.

3.7 Other Observations

Other observations pertinent to the outcome of the wetland delineation were recorded. Primarily, these observations were directed to land alterations that would impact hydrology, such as dams or other blockages, man-made drainage channels, or changes to on site or offsite topography that modify drainage patterns.

4 Results

During the field delineation, GES observed two wetlands, three open water features, and three drainage swales within the study area. A summary of onsite delineated areas is provided below. A map of waters of the U.S. and delineation transects for the site is provided as **Figures 7a-7c**. Routine Wetland Determination Data Forms for each observation location are included in **Appendix B** and photographs of plot locations are provided in **Appendix C**. Communities and site features are further described below.

Five community types were identified within the study area:

- Community Type A: Wetland. This community refers to the wetlands on site. Hydrophytic vegetation was dominant, wetland hydrology was observed, and hydric soils were present.
- Community Type B: Excavated Wetland. This community refers to areas observed within the quarry/mining area with surface water.
- Community Type C: Drainage swale. This community refers drainage conveyance from the wetlands. These areas are not considered to be wetlands because they do not exhibit all three wetland characteristics and are not considered streams because they did not exhibit an OHWM.
- Community Type D: Upland open water feature. This community type refers to an area constructed with a berm/dike in an upland setting.
- Community Type E: Upland. This community refers to the majority of the site that is comprised of upland forest and pasture. These areas are not considered to be wetlands because they do not exhibit all three wetland characteristics.

Community Type A (**Table 1**) represents Wetland 1 and Wetland 2 located in the northwest portion of the study area. Wetland 1 and Wetland 2 appeared to be sustained by surrounding sheet flow. Wetland 1 and Wetland 2 appear to drain into Community C, down-gradient. Surface water conveyance with minor turbidity was observed during the time of the site reconnaissance. Wetland 1 was delineated to be approximately 0.160 ac in size and Wetland 2 was delineated to be approximately 0.003 ac in size.

Community Type B (**Table 1**) represents Wetland 3 and Wetland 4, located within a previous quarry/mining area. Land-scaring and topographic gradient modifications indicated the area was excavated out of uplands. Wetland 3 and Wetland 4 appear to be sustained by surrounding sheet flow and do not drain.

Community Type C (**Table 2**) represents two drainage swales located in the northwest portion of the study area. The drainage swale community was classified as an upland area because the three wetland criteria were not all met. Surface water flow was observed during the field reconnaissance. Both drainage swales appeared to be connect to Wetland 1, one up-gradient and the other down-gradient.



Community Type D represents Pond 1 located in the northwest portion of the study area. Pond 1 appeared to be constructed out of an upland area. A berm/diked area was observed along the western edge. Pond 1 is sustained by surrounding sheet flow from the south and east and appears to not drain.

Community Type E (**Table 2**) represents the majority of the site and was classified as an upland because all three wetland criteria were not met.

5 Summary and Conclusions

Wetland 1 and Wetland 2, via the drainage swales, convey surface water to an unnamed tributary lake of Lewisville Lake, northwest approximately 200 feet. Lewisville Lake is an impoundment of the Trinity River. The USACE considers the Trinity River to be a traditionally navigable water. This connection demonstrates an effect on a traditionally navigable water's (Trinity River's) integrity. Therefore, it is GES's opinion Wetland 1 and Wetland 2 would be considered WOUS and subject to USACE jurisdiction under Section 404.

Pond 1 appears to have been constructed and excavated in an upland area (see USGS Topographic Map section above). The drainage swales do not meet wetland criteria and do not maintain an OHWM. Wetland 3 and Wetland 4 appeared to have occurred due to quarry mining activities in an upland area (see USGS Topographic Map and Historic Aerial Photographs sections above). Therefore, it is GES's opinion Pond 1, the drainage swales, and Wetland 3, and Wetland 4 would not be considered WOUS and therefore would not be subject to USACE jurisdiction under Section 404.

A map of waters of the U.S. and delineation transects for the project site are provided as **Figures 7a-7c**. The area measurements provided herein are estimates based on GIS and Garmin eTrex 30x handheld GPS measurements. Jurisdictional waters of the U.S. located within the study area are summarized in the following.

WOUS Name	Length (feet)	Average Width at OHWM (feet)	Area (acres)
Wetlands			
Wetland 1	-	-	0.160
Wetland 2	-	-	0.003
WETLANDS TOTAL	-	-	0.163
TOTAL WATERS	-	-	0.163

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Tables

Table 1 - Summary of Field Data for Community Type A and B

Observation	T1P3	T5P2	T6P2	T6P4	T7P2
Dominant Vegetation - Status					
<i>Salix nigra</i> (black willow) - FACW	.				
<i>Ludwigia peploides</i> (floating primrose-willow) - OBL	.				.
<i>Carex cherokeensis</i> (Cherokee sedge) - FACW	.				
<i>Persicaria hydropiperoides</i> (swamp smartweed) - OBL		.	.	.	
Hydric Soils					
Redox depressions (F8)	.	.			.
Other - inundated and obligate vegetation - assumed hydric			.	.	
Depleted Matrix (F3)					.
Hydrology					
Surface Water (A1)	.	.	.	.	
Saturation (A3)	.	.	.	.	.
Water-Stained Leaves (B9)	.				.
Geomorphic Position (D2)	.	.	.	.	.
FAC-neutral Test (D5)	.	.			.
Summary					
Hydrophytic vegetation?	Y	Y	Y	Y	Y
Hydric soils?	Y	Y	Y	Y	Y
Wetland hydrology?	Y	Y	Y	Y	Y

Table 2: Summary of Field Data for Community Type C and E

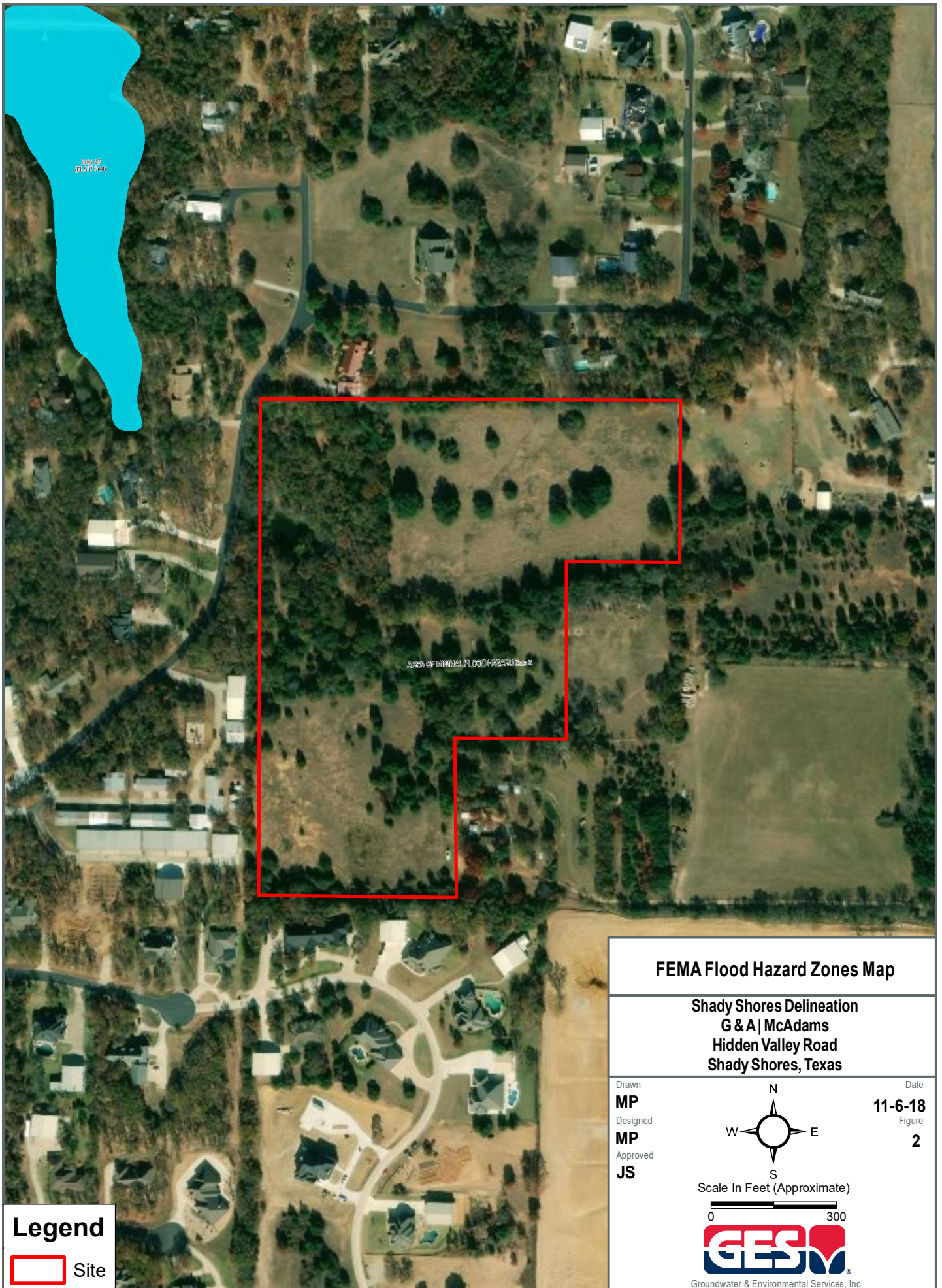
Observation ¹	T1 P1	T1 P4	T1 P5	T1 P6	T2 P1	T2 P3	T3 P1	T3 P2	T4 P1	T5 P1	T5 P3	T6 P1	T6 P5	T7 P1	T7 P3
Dominant Vegetation - Status															
<i>Ulmus crassifolia</i> (cedar elm) – FAC	•	•													
<i>Quercus stellata</i> (post oak) – FACU		•	•											•	•
<i>Ilex vomitoria</i> (yaupon holly) – FAC		•	•												
<i>Juniperus virginiana</i> (eastern red cedar) – UPL	•	•			•	•	•	•			•			•	•
<i>Ulmus alata</i> (winged elm) – FACU					•	•								•	•
<i>Ligustrum sinense</i> (Chinese privet) – UPL			•		•	•		•						•	•
<i>Paspalum notatum</i> (bahiagrass) – FAC				•			•								
<i>Bothriochloa ischaemum</i> (yellow bluestem) – UPL				•					•	•	•	•	•		
<i>Galium triflorum</i> (fragrant bedstraw) – FACU							•								
<i>Symphoricarpos orbiculatus</i> (coralberry) – FACU								•							
<i>Rivina humilis</i> (bloodberry) – FAC								•							
<i>Echinochloa colona</i> (jungle rice) – FACW									•						
<i>Rubus trivialis</i> (southern dewberry) – UPL											•				
<i>Ambrosia artemisiifolia</i> (annual ragweed) – FACU												•	•		
Hydrology															
Drainage Patterns (B10)	•														
Geomorphic Position (D2)	•								•						

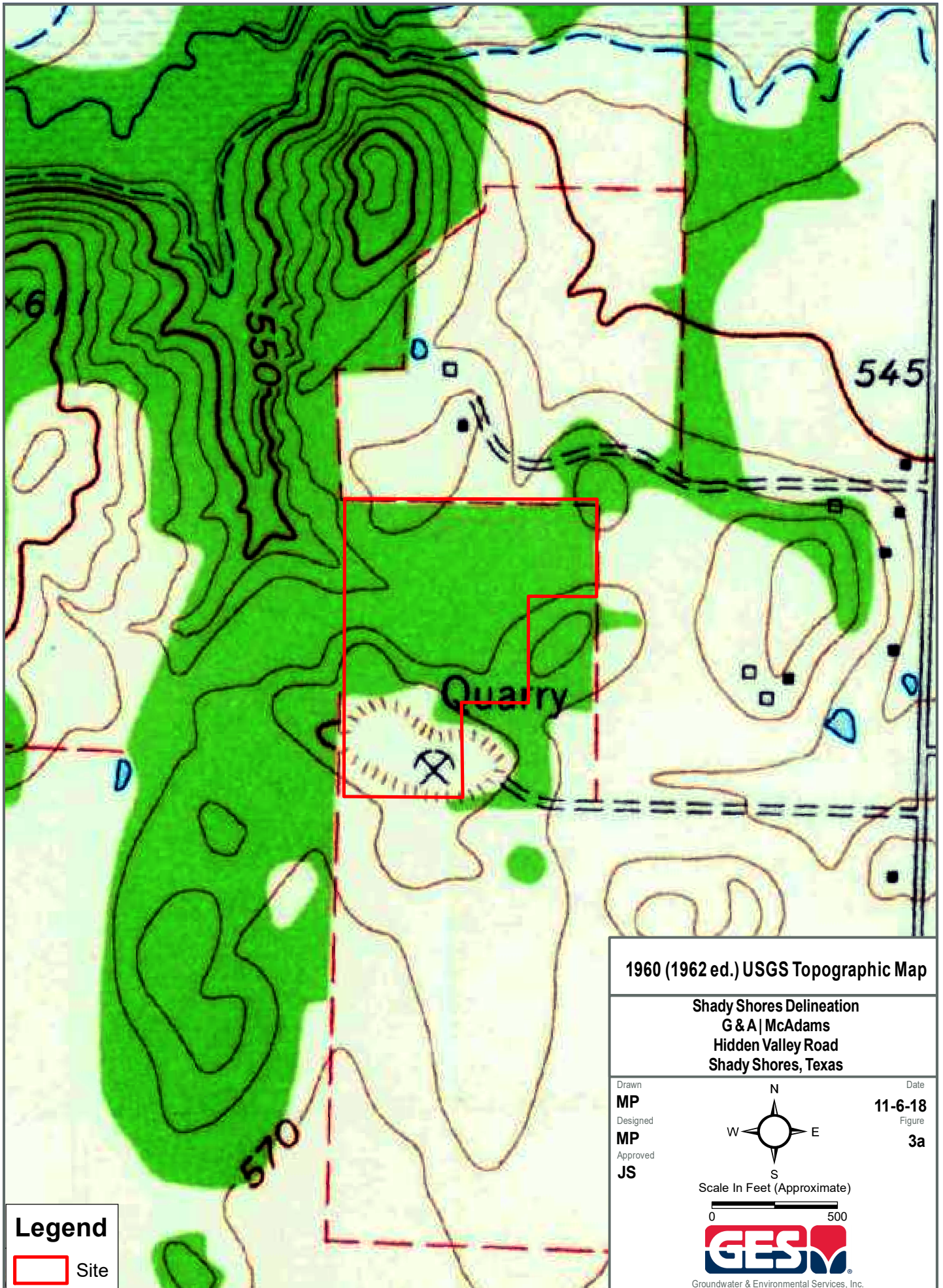
Observation ¹	T1 P1	T1 P4	T1 P5	T1 P6	T2 P1	T2 P3	T3 P1	T3 P2	T4 P1	T5 P1	T5 P3	T6 P1	T6 P5	T7 P1	T7 P3
Saturation (A3)									•						
Summary															
Hydrophytic vegetation?	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hydric soils?	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Wetland hydrology?	N	N	Y	N	N	N	N	N	Y	N	N	N	N	N	N

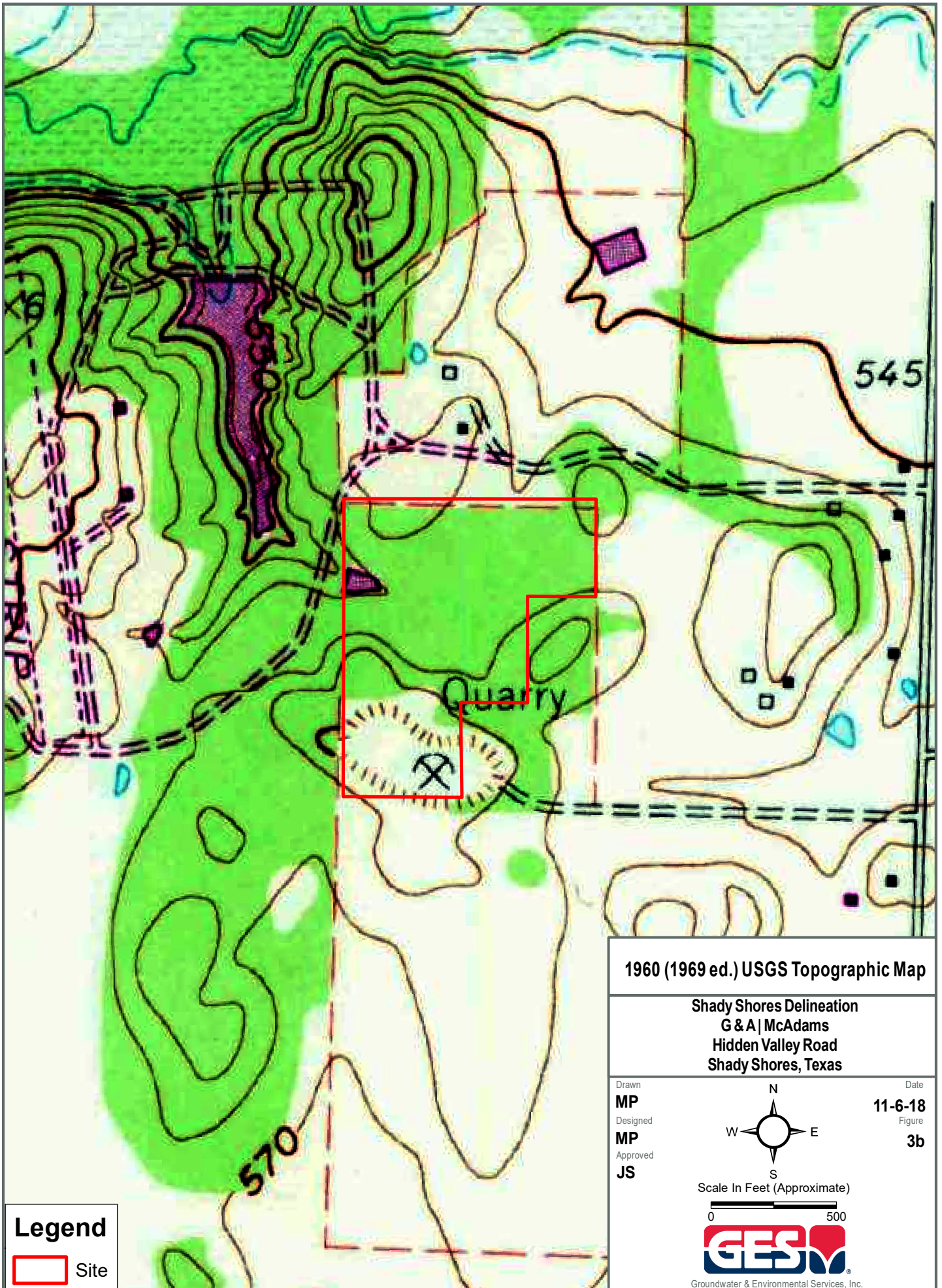
¹Hydric soil indicators not observed.

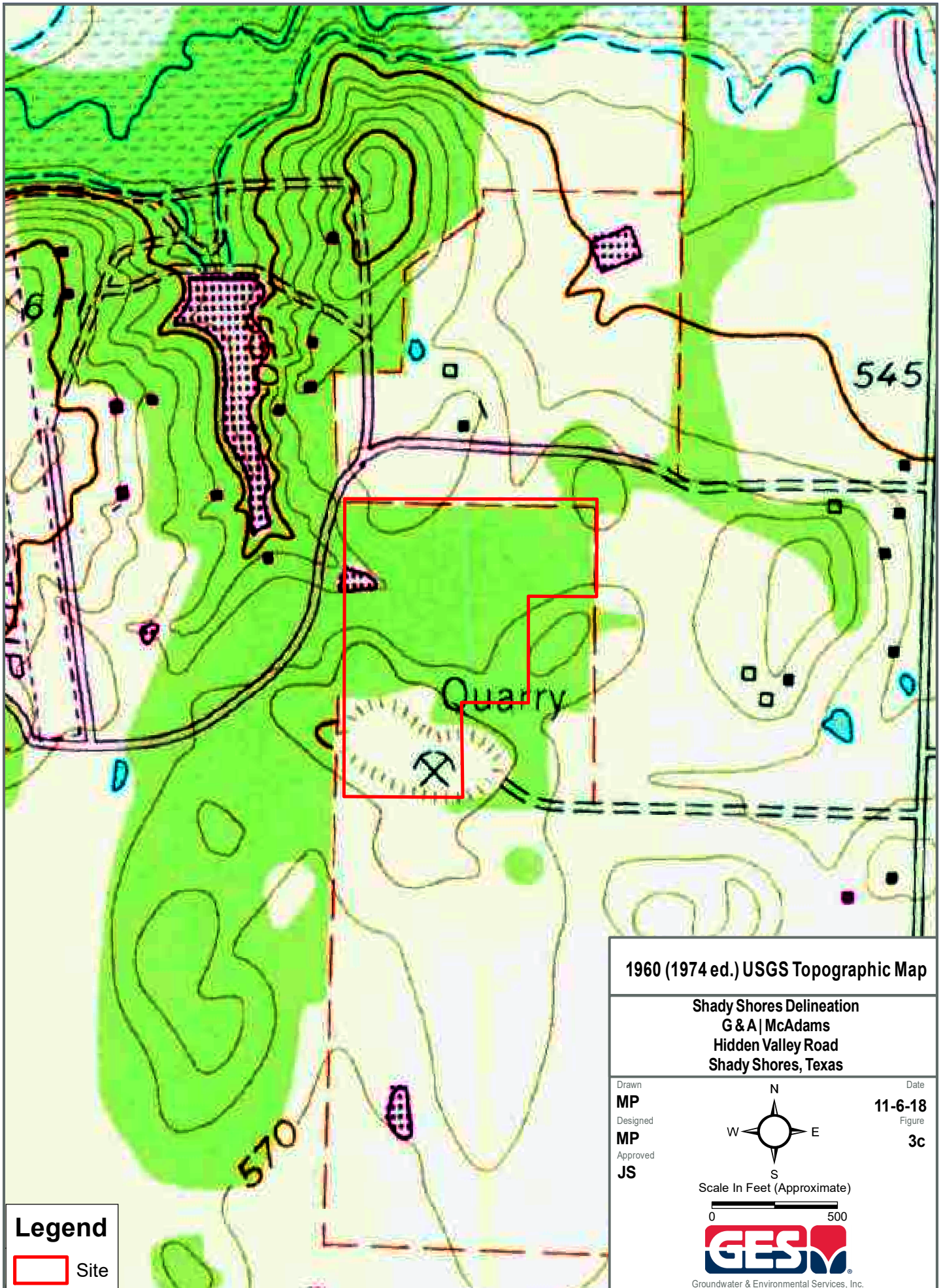
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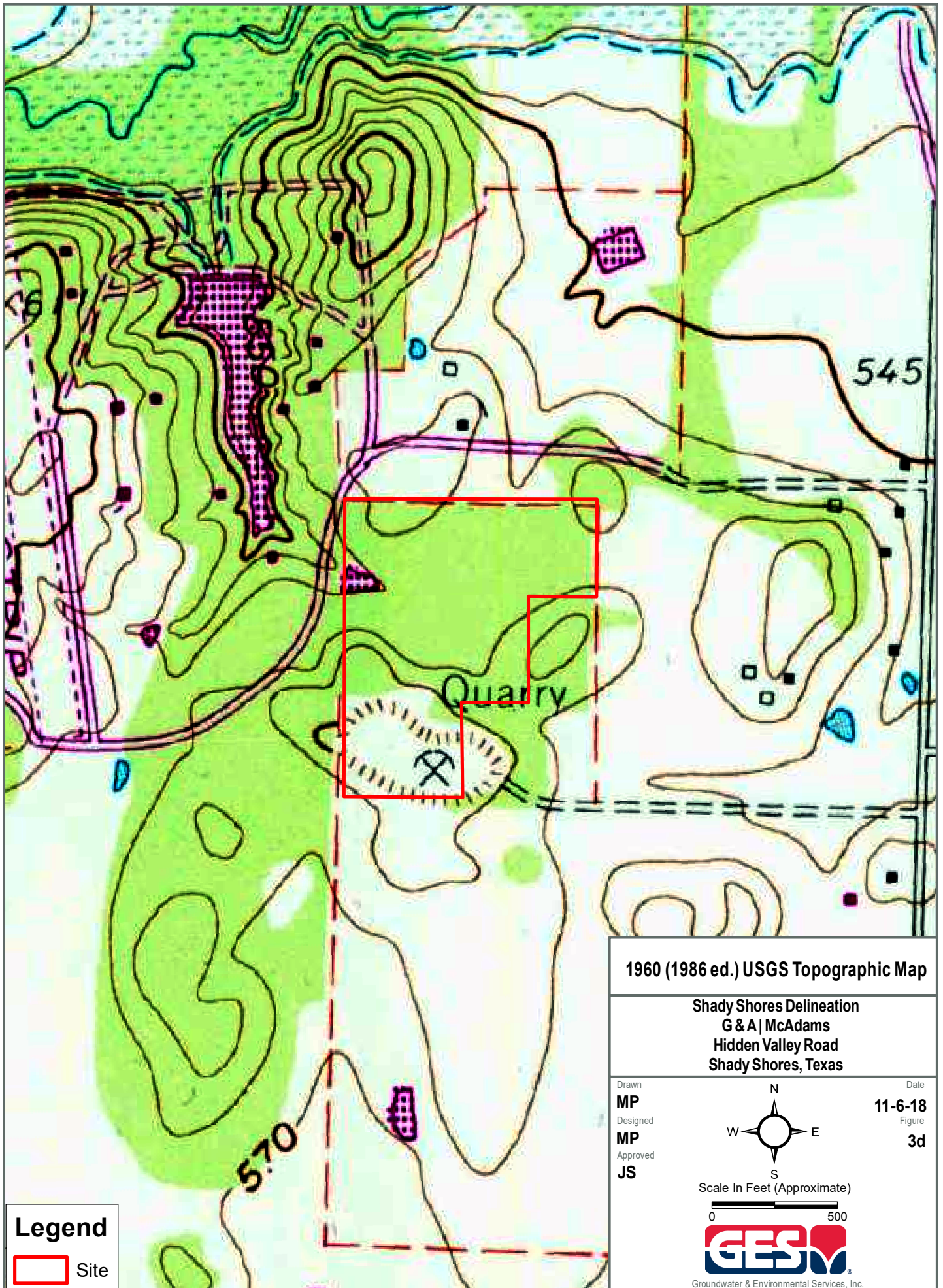


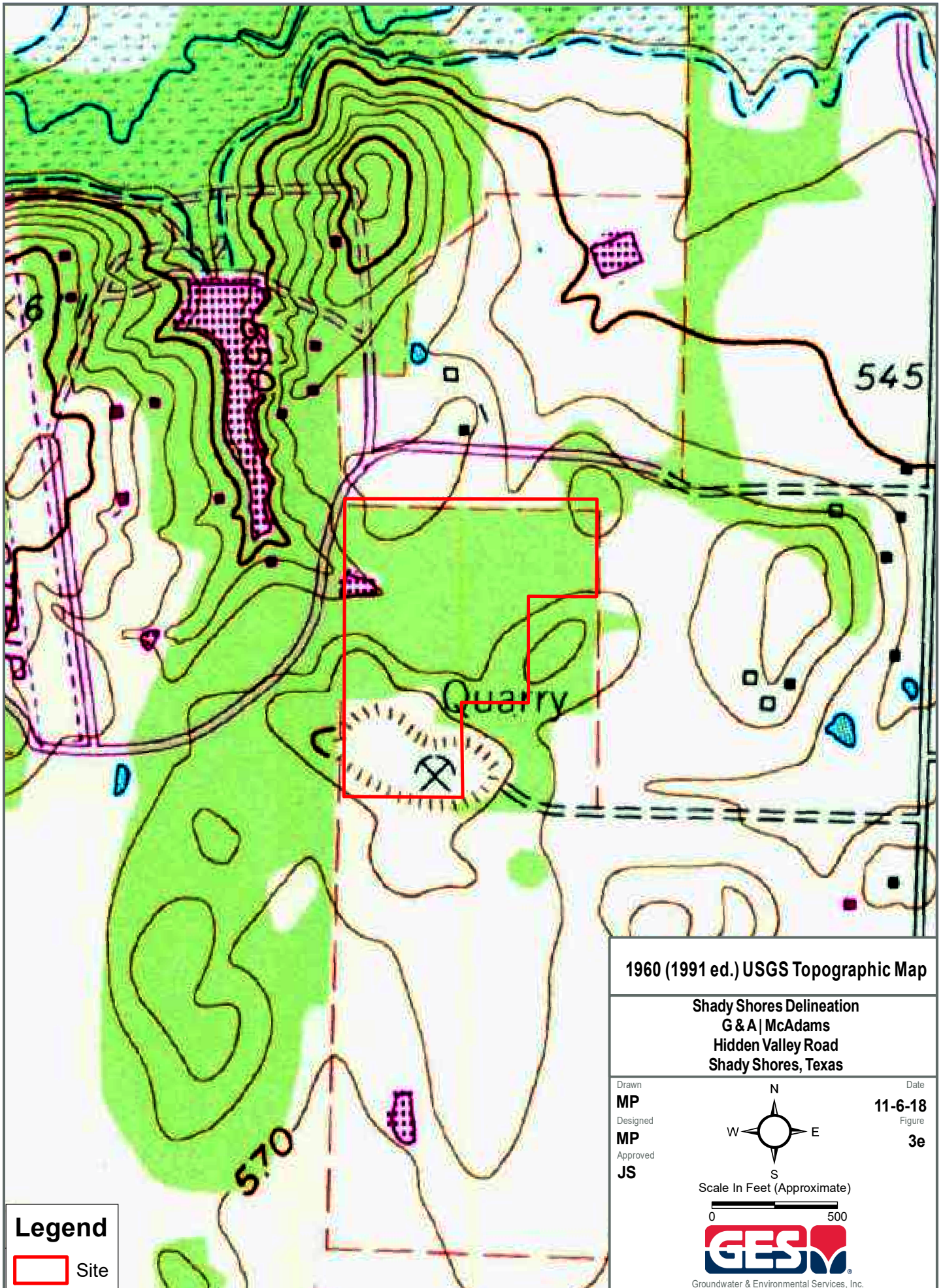


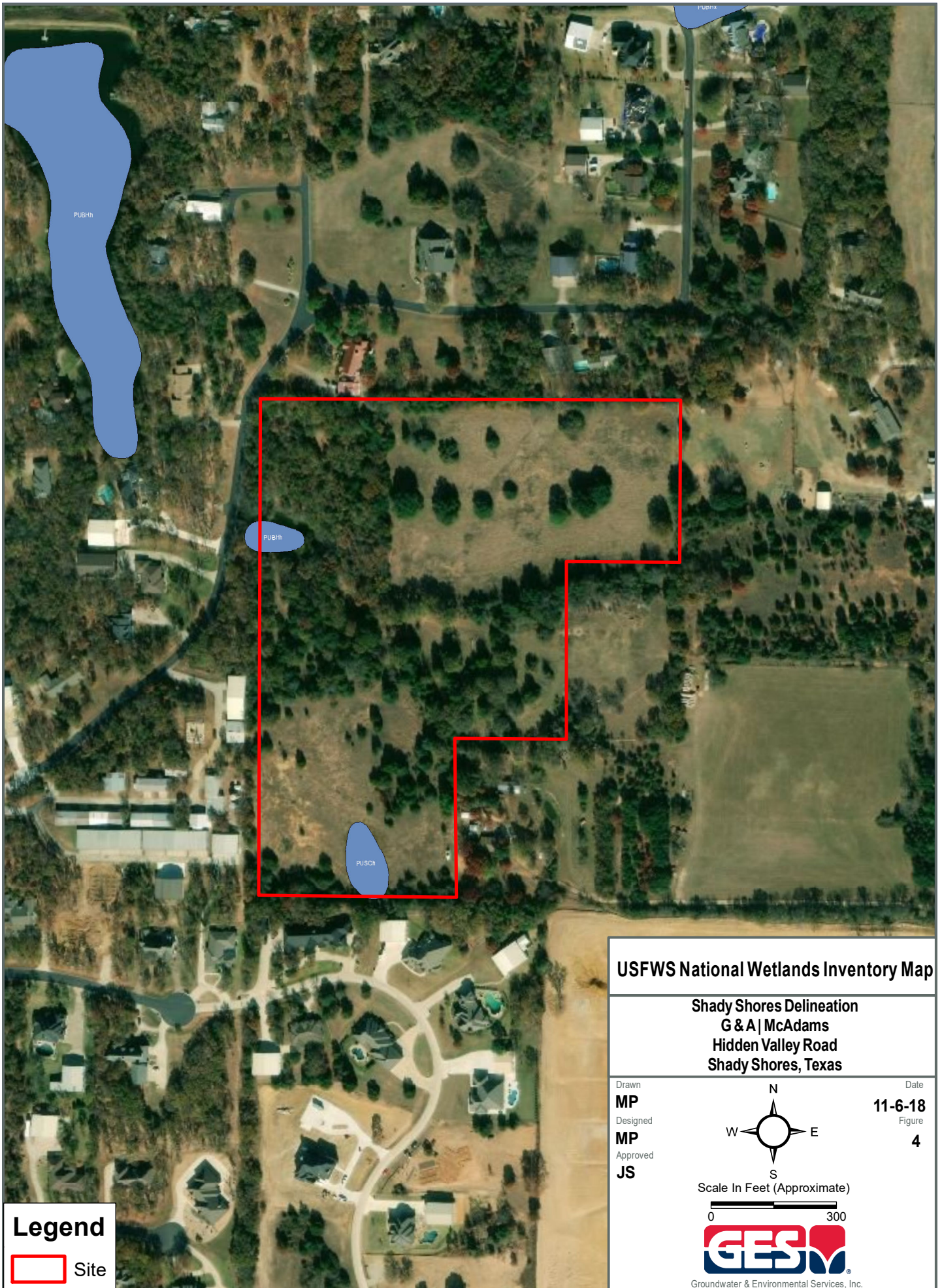












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Legend

Site

Soils

USDA Soils Map

Shady Shores Delineation
G & A | McAdams
Hidden Valley Road
Shady Shores, Texas

Drawn
MP

Designed
MP

Approved
JS

Date
11-6-18

Figure
5

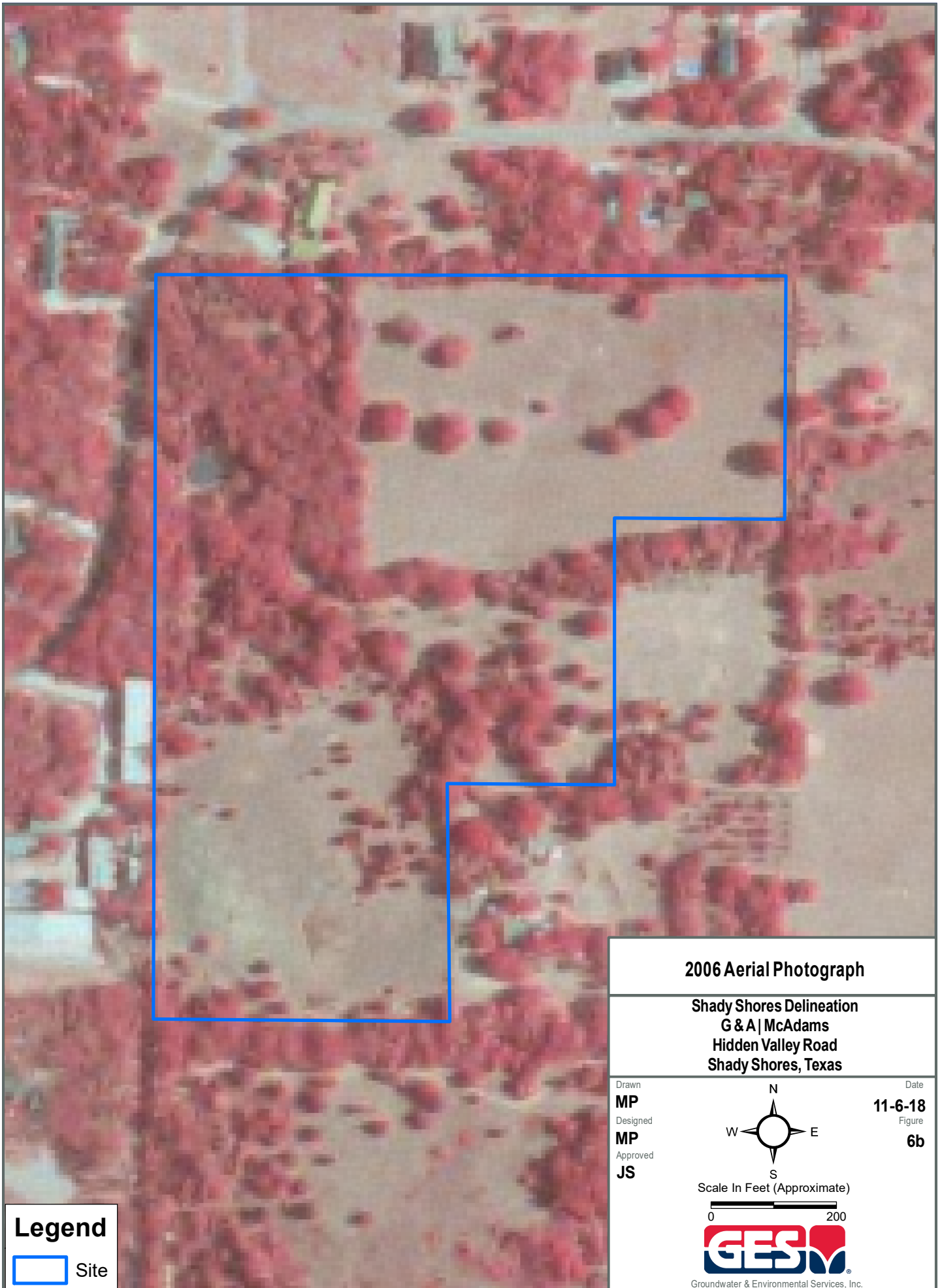
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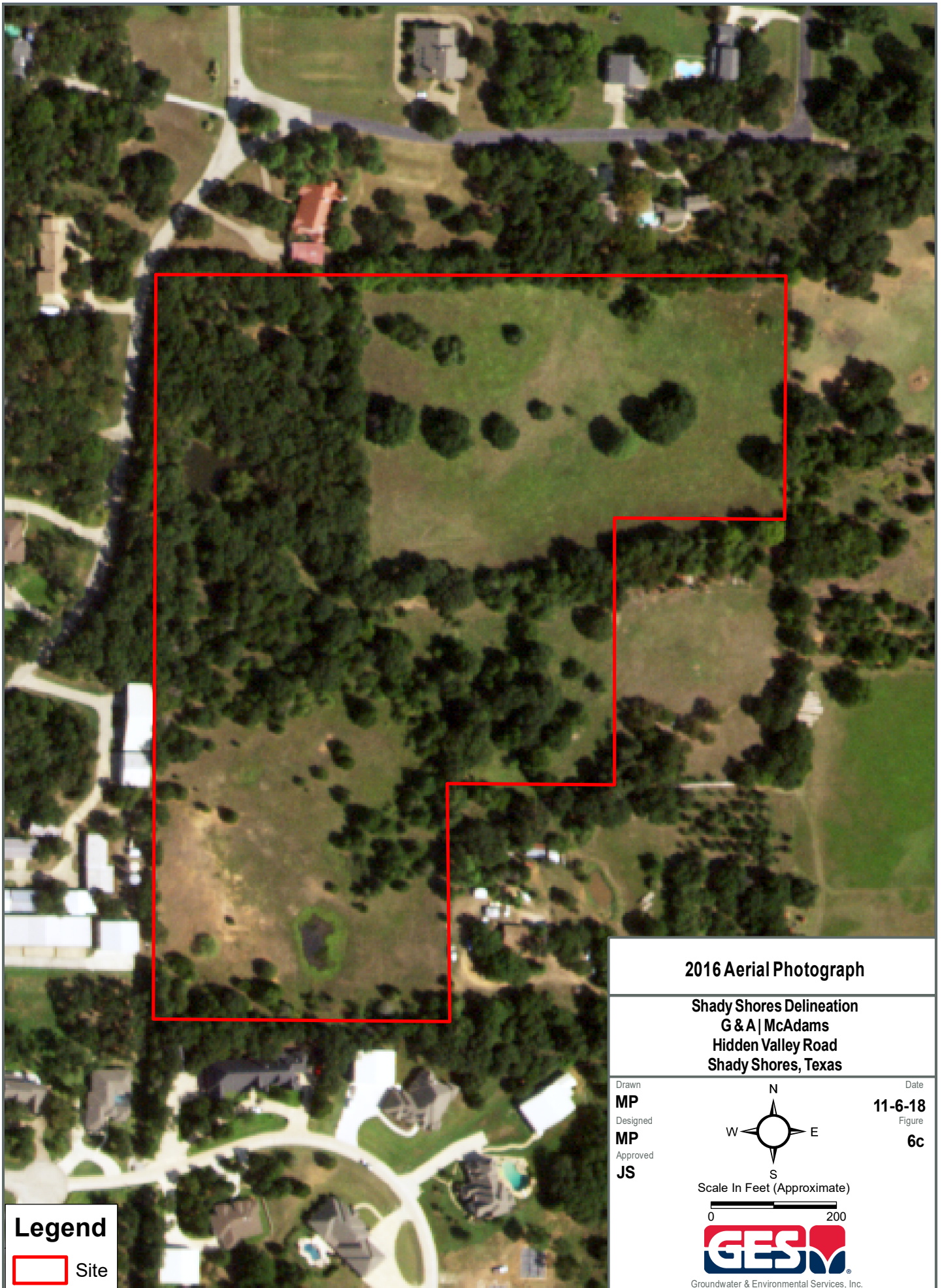
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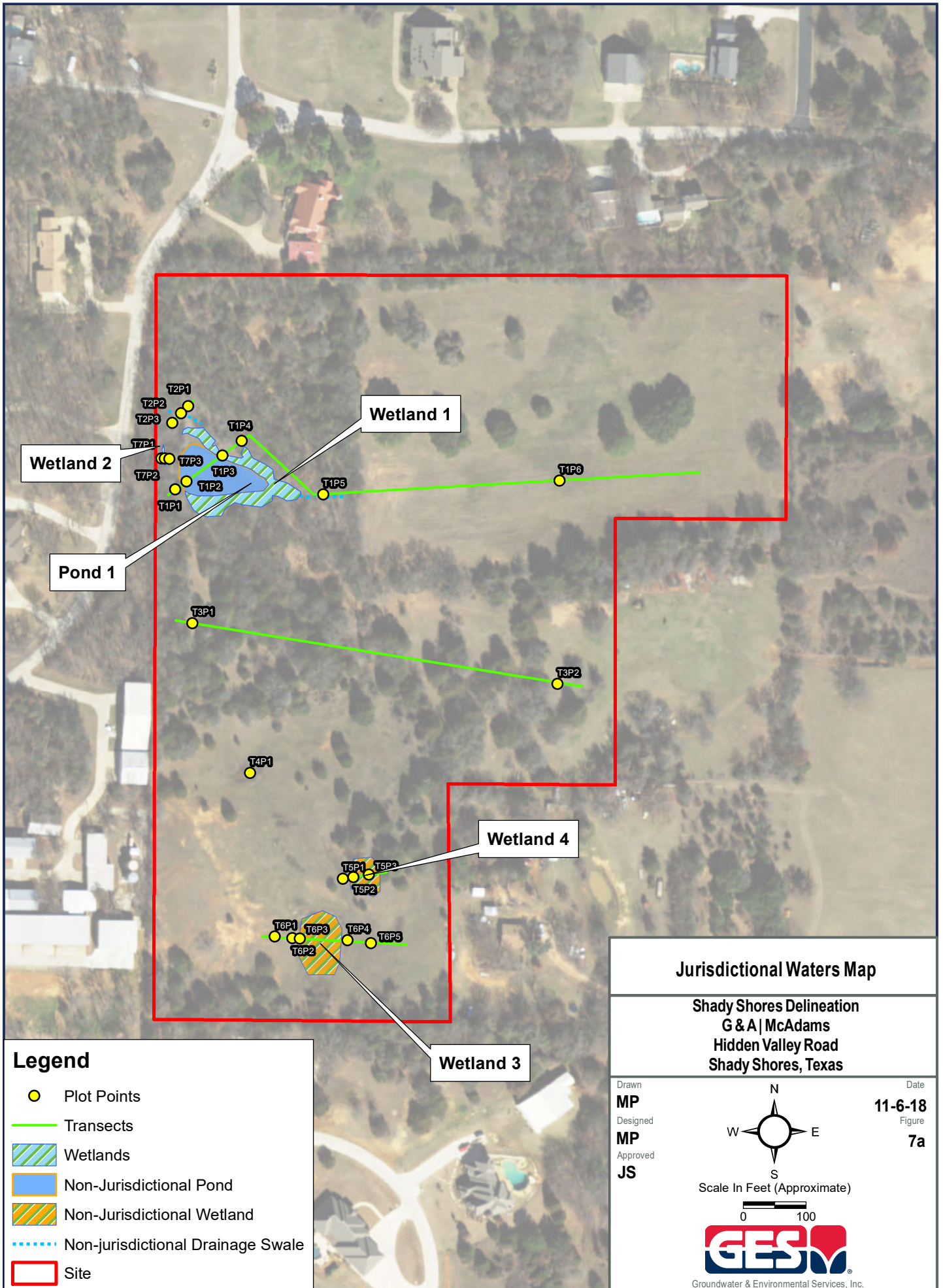
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GES
Groundwater & Environmental Services, Inc.

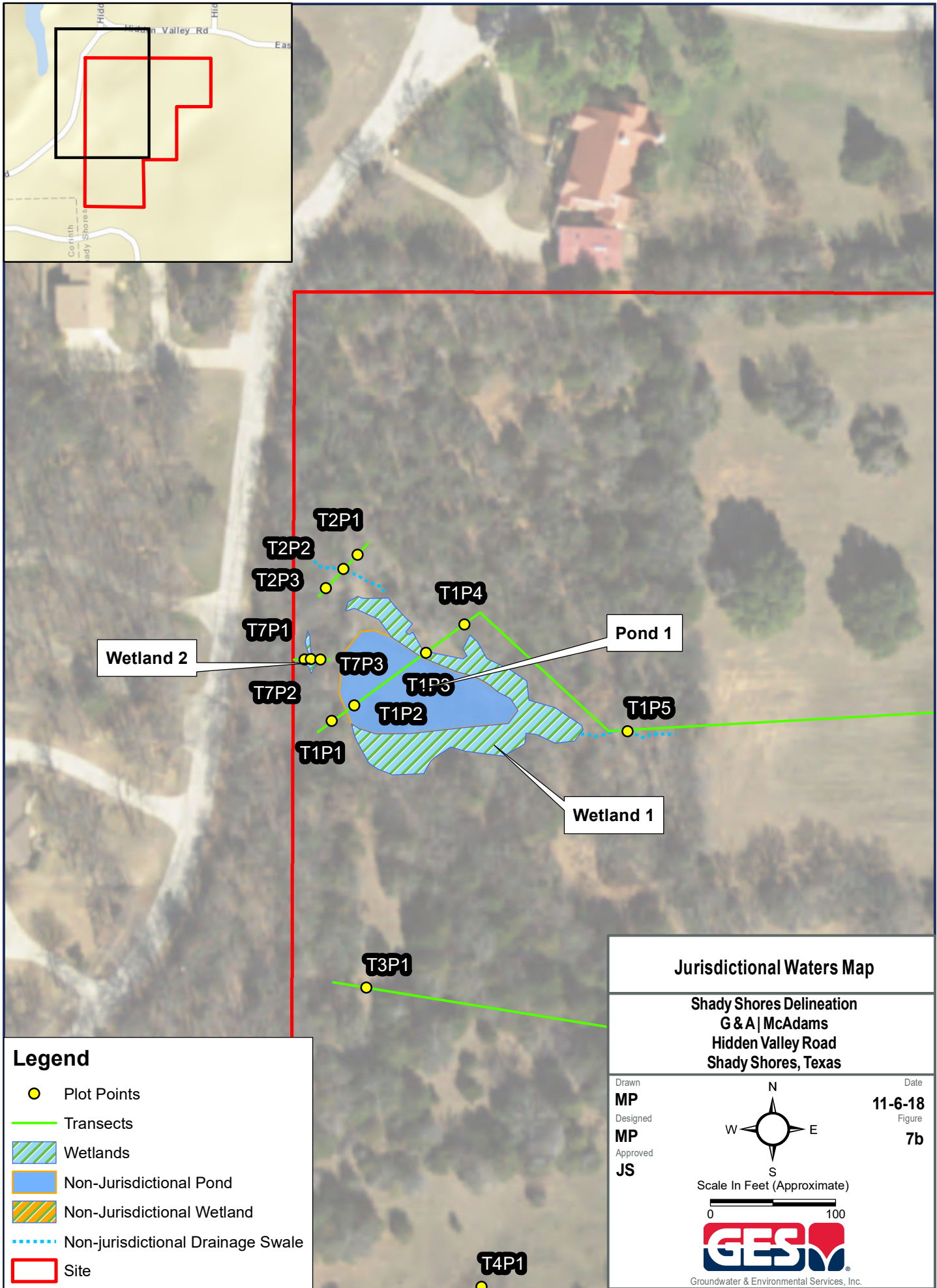




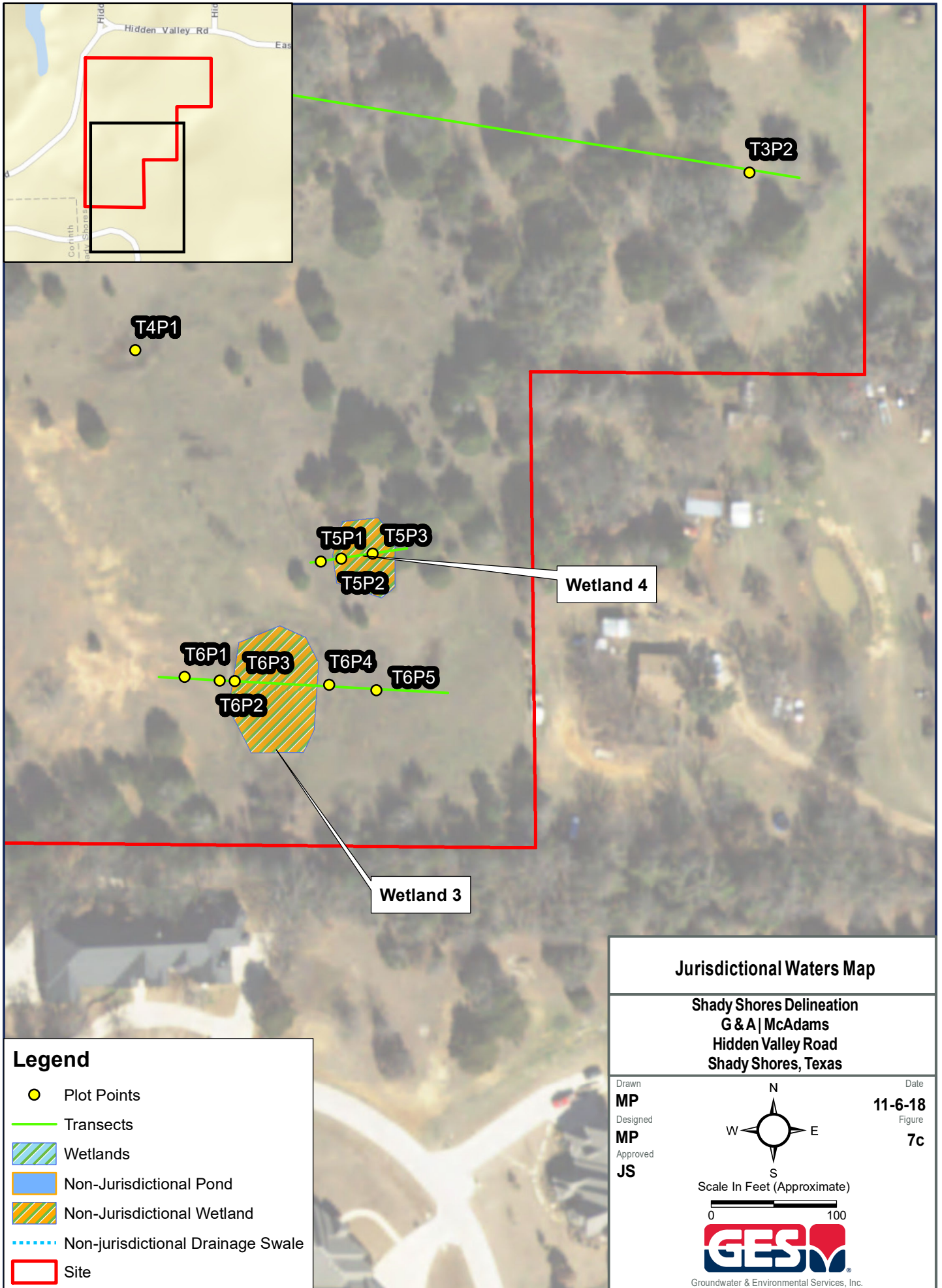




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Appendix A – Data Forms

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley **City/County:** Shady Shores/Denton **Sampling Date:** 12-Oct-18
Applicant/Owner: G and A **State:** Texas **Sampling Point:** T1P1
Investigator(s): MP and RC **Section, Township, Range:** S T R
Landform (hillslope, terrace, etc.): Berm **Local relief (concave, convex, none):** convex **Slope:** / 1.0 °
Subregion (LRR): LRR J **Lat.:** 33.172485 **Long.:** -97.047119 **Datum:** NAD83
Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) **NWI classification:** None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Ulmus crassifolia	20	☒ 50.0%	FAC	Number of Dominant Species That are OBL, FACW, or FAC: 3 (A) Total Number of Dominant Species Across All Strata: 5 (B) Percent of dominant Species That Are OBL, FACW, or FAC: 60.0% (A/B)
2. Juniperus virginiana	20	☒ 50.0%	UPL	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
		40 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species 0 x 1 = 0 FACW species 0 x 2 = 0 FAC species 45 x 3 = 135 FACU species 20 x 4 = 80 UPL species 20 x 5 = 100 Column Totals: 85 (A) 315 (B) Prevalence Index = B/A = 3.706
1. Ulmus crassifolia	20	☒ 100.0%	FAC	
2.	0	☐ 0.0%		
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
Herb Stratum (Plot size: 5 ft)				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☐ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
1. Paspalum dilatatum	5	☒ 20.0%	FAC	
2.	0	☐ 0.0%		
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		Hydrophytic Vegetation Present? Yes ☒ No ☐
		25 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft)				
1. Smilax bona-nox	20	☒ 100.0%	FACU	
2.	0	☐ 0.0%		
		20 = Total Cover		
% Bare Ground in Herb Stratum 90				
Remarks:				

Soil

Sampling Point: T1P1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	10YR	4/4	100					Sandy Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
---	--

Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
--	---

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)	Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)
--	--

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____	Wetland Hydrology Present? Yes ☐ No ☒
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available:	
Remarks:	

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T1P3

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): concave Slope: / 3.0 °

Subregion (LRR): LRR J Lat.: 33.172640 Long.: -97.046884 Datum: NAD83

Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:	
1. Quercus stellata	25	☒ 100.0%	FACU	Number of Dominant Species That are OBL, FACW, or FAC:	3 (A)
2.	0	☐ 0.0%		Total Number of Dominant Species Across All Strata:	4 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC:	75.0% (A/B)
4.	0	☐ 0.0%			
	25	= Total Cover			
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:	
1. Salix nigra	15	☒ 100.0%	FACW	Total % Cover of:	Multiply by:
2.	0	☐ 0.0%		OBL species 10	x 1 = 10
3.	0	☐ 0.0%		FACW species 25	x 2 = 50
4.	0	☐ 0.0%		FAC species 0	x 3 = 0
5.	0	☐ 0.0%		FACU species 25	x 4 = 100
	15	= Total Cover		UPL species 0	x 5 = 0
Herb Stratum (Plot size: 5 ft)				Column Totals:	60 (A) 160 (B)
1. Ludwigia peploides	10	☒ 50.0%	OBL	Prevalence Index = B/A = 2.667	
2. Carex cherokeensis	10	☒ 50.0%	FACW		
3.	0	☐ 0.0%			
4.	0	☐ 0.0%			
5.	0	☐ 0.0%			
6.	0	☐ 0.0%			
7.	0	☐ 0.0%			
8.	0	☐ 0.0%			
9.	0	☐ 0.0%			
10.	0	☐ 0.0%			
	20	= Total Cover			
Woody Vine Stratum (Plot size:)				Hydrophytic Vegetation Indicators:	
1.	0	☐		☐ 1 - Rapid Test for Hydrophytic Vegetation	
2.	0	☐		☒ 2 - Dominance Test is > 50%	
	0	= Total Cover		☒ 3 - Prevalence Index is ≤ 3.0 ¹	
% Bare Ground in Herb Stratum 80				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)	
				¹ Indicators of hydric soil and wetland hydrology must be present.	
				Hydrophytic Vegetation Present? Yes ☒ No ☐	

Soil

Sampling Point: T1P3

[illegible]

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)			Secondary Indicators (minimum of two required)					
☒ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☒ Water-Stained Leaves (B9)			☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)			☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☒ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)		
Field Observations: Surface Water Present? Yes ☒ No ☐ Water Table Present? Yes ☐ No ☒ Saturation Present? Yes ☒ No ☐ (includes capillary fringe)			Depth (inches): 1 Depth (inches): 0 Depth (inches): 0			Wetland Hydrology Present? Yes ☒ No ☐		
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available:								
Remarks:								

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T1P4

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 3.0 °

Subregion (LRR): LRR J Lat.: 33.172759 Long.: -97.046867 Datum: NAD83

Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Juniperus virginiana	40	☒ 66.7%	UPL	Number of Dominant Species That are OBL, FACW, or FAC: 4 (A)
2. Quercus stellata	20	☒ 33.3%	FACU	Total Number of Dominant Species Across All Strata: 8 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)
4.	0	☐ 0.0%		
	60	= Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:
1. Ulmus crassifolia	10	☒ 28.6%	FAC	Total % Cover of: Multiply by:
2. Ilex vomitoria	10	☒ 28.6%	FAC	OBL species 0 x 1 = 0
3. Juniperus virginiana	15	☒ 42.9%	UPL	FACW species 5 x 2 = 10
4.	0	☐ 0.0%		FAC species 25 x 3 = 75
5.	0	☐ 0.0%		FACU species 30 x 4 = 120
	35	= Total Cover		UPL species 55 x 5 = 275
Herb Stratum (Plot size: 5 ft)				Column Totals: 115 (A) 480 (B)
1. Carex cherokeensis	5	☒ 25.0%	FACW	Prevalence Index = B/A = 4.174
2. Panicum virgatum	5	☒ 25.0%	FAC	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		
	20	= Total Cover		
Woody Vine Stratum (Plot size: 30 ft)				
1. Smilax bona-nox	10	☒ 100.0%	FACU	
2.	0	☐ 0.0%		
	10	= Total Cover		
% Bare Ground in Herb Stratum 90				
Remarks:				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T1P4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	10YR	3/4	100					Sandy Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

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

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T1P5

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): concave Slope: / 5.0 °

Subregion (LRR): LRR J Lat.: 33.172461 Long.: -97.046453 Datum: NAD83

Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Quercus stellata	40	☒ 100.0%	FACU	Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
2.	0	☐ 0.0%		Total Number of Dominant Species Across All Strata: 6 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: 33.3% (A/B)
4.	0	☐ 0.0%		
	40	= Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:
1. Ligustrum sinense	10	☒ 40.0%	UPL	Total % Cover of: Multiply by:
2. Juniperus virginiana	10	☒ 40.0%	UPL	OBL species 0 x 1 = 0
3. Fraxinus pennsylvanica	5	☒ 20.0%	FAC	FACW species 5 x 2 = 10
4.	0	☐ 0.0%		FAC species 5 x 3 = 15
5.	0	☐ 0.0%		FACU species 40 x 4 = 160
	25	= Total Cover		UPL species 25 x 5 = 125
Herb Stratum (Plot size: 5 ft)				Column Totals: 75 (A) 310 (B)
1. Ligustrum sinense	5	☒ 50.0%	UPL	Prevalence Index = B/A = 4.133
2. Carex cherokeensis	5	☒ 50.0%	FACW	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		
	10	= Total Cover		
Woody Vine Stratum (Plot size:)				
1.	0	☐		
2.	0	☐		
	0	= Total Cover		
% Bare Ground in Herb Stratum 0				
Remarks:				Hydrophytic Vegetation Present? Yes ☐ No ☒

Hydrophytic Vegetation Indicators:

☐ 1 - Rapid Test for Hydrophytic Vegetation

☐ 2 - Dominance Test is > 50%

☐ 3 - Prevalence Index is ≤ 3.0 ¹

☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present.

Soil

Sampling Point: T1P5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	10YR	3/2	100					Sandy Clay Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)
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WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley **City/County:** Shady Shores/Denton **Sampling Date:** 12-Oct-18
Applicant/Owner: G and A **State:** Texas **Sampling Point:** T1P6
Investigator(s): MP and RC **Section, Township, Range:** S T R
Landform (hillslope, terrace, etc.): Plain **Local relief (concave, convex, none):** rolling **Slope:** / 5.0 °
Subregion (LRR): LRR J **Lat.:** 33.172546 **Long.:** -97.045269 **Datum:** NAD83
Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) **NWI classification:** None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size:)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐		Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)
2. _____	0	☐		Total Number of Dominant Species Across All Strata: 2 (B)
3. _____	0	☐		Percent of dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)
4. _____	0	☐		
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size:)				
1. _____	0	☐		Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species 0 x 1 = 0 FACW species 0 x 2 = 0 FAC species 60 x 3 = 180 FACU species 10 x 4 = 40 UPL species 30 x 5 = 150 Column Totals: 100 (A) 370 (B) Prevalence Index = B/A = 3.7
2. _____	0	☐		
3. _____	0	☐		
4. _____	0	☐		
5. _____	0	☐		
	0	= Total Cover		
Herb Stratum (Plot size: 5 ft)				
1. Bothriochloa ischaemum	30	☒ 30.0%	UPL	Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is > 50% ☐ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
2. Paspalum notatum	60	☒ 60.0%	FAC	
3. Ambrosia artemisiifolia	10	☐ 10.0%	FACU	
4. _____	0	☐ 0.0%		
5. _____	0	☐ 0.0%		
6. _____	0	☐ 0.0%		
7. _____	0	☐ 0.0%		
8. _____	0	☐ 0.0%		
9. _____	0	☐ 0.0%		
10. _____	0	☐ 0.0%		
	100	= Total Cover		
Woody Vine Stratum (Plot size:)				
1. _____	0	☐		Hydrophytic Vegetation Present? Yes ☐ No ☒
2. _____	0	☐		
	0	= Total Cover		
% Bare Ground in Herb Stratum 0				
Remarks:				

Soil

Sampling Point: T1P6

[illegible]

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)			Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)		
Field Observations: Surface Water Present? Yes ☐ No ☒ Water Table Present? Yes ☐ No ☒ Saturation Present? Yes ☐ No ☒ (includes capillary fringe)		Depth (inches): <u>0</u> Depth (inches): <u>0</u> Depth (inches): <u>0</u>		Wetland Hydrology Present? Yes ☐ No ☒	
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available: _____					
Remarks:					

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T2P1 and P3

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 5.0 °

Subregion (LRR): LRR J Lat.: 33.172871 Long.: -97.047122 Datum: NAD83

Soil Map Unit Name: Birome-Rayex-Aubrey complex, 2 to 15 percent slopes (13) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions T2P3: 33.172799, -97.047206	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Juniperus virginiana	30	☒ 50.0%	UPL	Number of Dominant Species That are OBL, FACW, or FAC: 0 (A)
2. Ulmus alata	30	☒ 50.0%	FACU	Total Number of Dominant Species Across All Strata: 5 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)
4.	0	☐ 0.0%		
	60	= Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:
1. Juniperus virginiana	15	☒ 33.3%	UPL	Total % Cover of: Multiply by:
2. Ulmus alata	15	☒ 33.3%	FACU	OBL species 0 x 1 = 0
3. Ligustrum sinense	15	☒ 33.3%	UPL	FACW species 0 x 2 = 0
4.	0	☐ 0.0%		FAC species 0 x 3 = 0
5.	0	☐ 0.0%		FACU species 45 x 4 = 180
	45	= Total Cover		UPL species 60 x 5 = 300
Herb Stratum (Plot size:)				Column Totals: 105 (A) 480 (B)
1.	0	☐		Prevalence Index = B/A = 4.571
2.	0	☐		
3.	0	☐		
4.	0	☐		
5.	0	☐		
6.	0	☐		
7.	0	☐		
8.	0	☐		
9.	0	☐		
10.	0	☐		
	0	= Total Cover		
Woody Vine Stratum (Plot size:)				
1.	0	☐		
2.	0	☐		
	0	= Total Cover		
% Bare Ground in Herb Stratum 0				
Remarks:				

Hydrophytic Vegetation Indicators:

☐ 1 - Rapid Test for Hydrophytic Vegetation

☐ 2 - Dominance Test is > 50%

☐ 3 - Prevalence Index is $\leq 3.0^1$

☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T2P1 and P3

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

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	Indicators for Problematic Hydric Soils³: ☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H) ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

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

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18
 Applicant/Owner: G and A State: Texas Sampling Point: T3P1
 Investigator(s): MP and RC Section, Township, Range: S T R
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 5.0 °
 Subregion (LRR): LRR J Lat.: 33.171994 Long.: -97.047038 Datum: NAD83
 Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:
1. <u>Juniperus virginiana</u>	40	☒ 100.0%	UPL	Number of Dominant Species That are OBL, FACW, or FAC: <u>1</u> (A)
2. <u> </u>	0	☐ 0.0%		Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. <u> </u>	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: <u>33.3%</u> (A/B)
4. <u> </u>	0	☐ 0.0%		
	40	= Total Cover		
Sapling/Shrub Stratum (Plot size:)				Prevalence Index worksheet:
1. <u> </u>	0	☐		Total % Cover of: Multiply by:
2. <u> </u>	0	☐		OBL species <u>0</u> x 1 = <u>0</u>
3. <u> </u>	0	☐		FACW species <u>0</u> x 2 = <u>0</u>
4. <u> </u>	0	☐		FAC species <u>10</u> x 3 = <u>30</u>
5. <u> </u>	0	☐		FACU species <u>10</u> x 4 = <u>40</u>
	0	= Total Cover		UPL species <u>50</u> x 5 = <u>250</u>
Herb Stratum (Plot size: 5 ft)				Column Totals: <u>70</u> (A) <u>320</u> (B)
1. <u>Opuntia fragilis</u>	5	☐ 16.7%	UPL	Prevalence Index = B/A = <u>4.571</u>
2. <u>Paspalum notatum</u>	10	☒ 33.3%	FAC	
3. <u>Galium triflorum</u>	10	☒ 33.3%	FACU	
4. <u>Bothriochloa ischaemum</u>	5	☐ 16.7%	UPL	
5. <u> </u>	0	☐ 0.0%		
6. <u> </u>	0	☐ 0.0%		
7. <u> </u>	0	☐ 0.0%		
8. <u> </u>	0	☐ 0.0%		
9. <u> </u>	0	☐ 0.0%		
10. <u> </u>	0	☐ 0.0%		
	30	= Total Cover		
Woody Vine Stratum (Plot size:)				
1. <u> </u>	0	☐		
2. <u> </u>	0	☐		
	0	= Total Cover		
% Bare Ground in Herb Stratum <u>60</u>				
Remarks:				Hydrophytic Vegetation Present? Yes ☐ No ☒

Hydrophytic Vegetation Indicators:
☐ 1 - Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is > 50%
☐ 3 - Prevalence Index is ≤ 3.0¹
☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
☐ Problematic Hydrophytic Vegetation¹ (Explain)
¹ Indicators of hydric soil and wetland hydrology must be present.

Soil

Sampling Point: T3P1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	7.5YR	4/4	100					Sandy Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)
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WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T3P2

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 5.0 °

Subregion (LRR): LRR J Lat.: 33.171473 Long.: -97.045215 Datum: NAD83

Soil Map Unit Name: Gasil fine sandy loam, 1 to 3 percent slopes (35) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Juniperus virginiana	30	☒ 100.0%	UPL	Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)
2.	0	☐ 0.0%		Total Number of Dominant Species Across All Strata: 5 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: 20.0% (A/B)
4.	0	☐ 0.0%		
	30	= Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:
1. Ligustrum sinense	20	☒ 50.0%	UPL	Total % Cover of: Multiply by:
2. Symphoricarpos orbiculatus	20	☒ 50.0%	FACU	OBL species 0 x 1 = 0
3.	0	☐ 0.0%		FACW species 10 x 2 = 20
4.	0	☐ 0.0%		FAC species 50 x 3 = 150
5.	0	☐ 0.0%		FACU species 40 x 4 = 160
	40	= Total Cover		UPL species 50 x 5 = 250
Herb Stratum (Plot size: 5 ft)				Column Totals: 150 (A) 580 (B)
1. Carex cherokeensis	10	☐ 12.5%	FACW	Prevalence Index = B/A = 3.867
2. Rivina humilis	50	☒ 62.5%	FAC	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		
	80	= Total Cover		
Woody Vine Stratum (Plot size: 30 ft)				Hydrophytic Vegetation Indicators:
1. Smilax bona-nox	20	☒ 100.0%	FACU	☐ 1 - Rapid Test for Hydrophytic Vegetation
2.	0	☐ 0.0%		☐ 2 - Dominance Test is > 50%
	20	= Total Cover		☐ 3 - Prevalence Index is ≤ 3.0 ¹
% Bare Ground in Herb Stratum 40				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T3P2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	10YR	3/3	100					Sandy Clay	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks:	

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)
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WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley **City/County:** Shady Shores/Denton **Sampling Date:** 12-Oct-18
Applicant/Owner: G and A **State:** Texas **Sampling Point:** T4P1
Investigator(s): MP and RC **Section, Township, Range:** S T R
Landform (hillslope, terrace, etc.): depression **Local relief (concave, convex, none):** concave **Slope:** / 5.0 °
Subregion (LRR): LRR J **Lat.:** 33.171259 **Long.:** -97.046834 **Datum:** NAD83
Soil Map Unit Name: Silstid loamy fine sand, 1 to 5 percent slopes (72) **NWI classification:** None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size:)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐		Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)
2. _____	0	☐		Total Number of Dominant Species Across All Strata: 2 (B)
3. _____	0	☐		Percent of dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)
4. _____	0	☐		
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size:)				
1. _____	0	☐		Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species 0 x 1 = 0 FACW species 20 x 2 = 40 FAC species 20 x 3 = 60 FACU species 0 x 4 = 0 UPL species 25 x 5 = 125 Column Totals: 65 (A) 225 (B) Prevalence Index = B/A = 3.462
2. _____	0	☐		
3. _____	0	☐		
4. _____	0	☐		
5. _____	0	☐		
	0	= Total Cover		
Herb Stratum (Plot size: 5 ft)				
1. Paspalum dilatatum	10	☐	15.4% FAC	Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is > 50% ☐ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
2. Paspalum notatum	10	☐	15.4% FAC	
3. Bothriochloa ischaemum	25	☒	38.5% UPL	
4. Echinochloa colona	20	☒	30.8% FACW	
5. _____	0	☐	0.0%	
6. _____	0	☐	0.0%	
7. _____	0	☐	0.0%	
8. _____	0	☐	0.0%	
9. _____	0	☐	0.0%	
10. _____	0	☐	0.0%	
	65	= Total Cover		
Woody Vine Stratum (Plot size:)				
1. _____	0	☐		Hydrophytic Vegetation Present? Yes ☐ No ☒
2. _____	0	☐		
	0	= Total Cover		
% Bare Ground in Herb Stratum 0				
Remarks:				

Soil

Sampling Point: T4P1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	10YR	3/3	100					Loam	gravely

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
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Remarks:

Hydrology

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

Remarks:

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18
 Applicant/Owner: G and A State: Texas Sampling Point: TSP1
 Investigator(s): MP and RC Section, Township, Range: S T R
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 3.0 °
 Subregion (LRR): LRR J Lat.: 33.170794 Long.: -97.046365 Datum: NAD83
 Soil Map Unit Name: Siltid loamy fine sand, 1 to 5 percent slopes (72) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: _____)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐	_____	Number of Dominant Species That are OBL, FACW, or FAC: <u>0</u> (A)
2. _____	0	☐	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	0	☐	_____	Percent of dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)
4. _____	0	☐	_____	
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size: _____)				Prevalence Index worksheet:
1. _____	0	☐	_____	Total % Cover of: _____ Multiply by: _____
2. _____	0	☐	_____	OBL species <u>0</u> x 1 = <u>0</u>
3. _____	0	☐	_____	FACW species <u>0</u> x 2 = <u>0</u>
4. _____	0	☐	_____	FAC species <u>20</u> x 3 = <u>60</u>
5. _____	0	☐	_____	FACU species <u>0</u> x 4 = <u>0</u>
	0	= Total Cover		UPL species <u>780</u> x 5 = <u>3900</u>
Herb Stratum (Plot size: 5 ft _____)				Column Totals: <u>800</u> (A) <u>3960</u> (B)
1. Bothriochloa ischaemum	780	☒	97.5% UPL	Prevalence Index = B/A = <u>4.95</u>
2. Paspalum notatum	20	☐	2.5% FAC	
3. _____	0	☐	0.0%	
4. _____	0	☐	0.0%	
5. _____	0	☐	0.0%	
6. _____	0	☐	0.0%	
7. _____	0	☐	0.0%	
8. _____	0	☐	0.0%	
9. _____	0	☐	0.0%	
10. _____	0	☐	0.0%	
	800	= Total Cover		
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Indicators:
1. _____	0	☐	_____	☐ 1 - Rapid Test for Hydrophytic Vegetation
2. _____	0	☐	_____	☐ 2 - Dominance Test is > 50%
	0	= Total Cover		☐ 3 - Prevalence Index is ≤ 3.0 ¹
% Bare Ground in Herb Stratum <u>0</u>				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T5P1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Loc ²	Texture	Remarks
	Color (moist)			Color (moist)	%	Type ¹			
0-16	7.5YR	5/6	100					Clay Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Hydric Soil Present? Yes ☐ No ☒

Remarks:

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)	Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)
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Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____	Wetland Hydrology Present? Yes ☐ No ☒
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Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T5P2

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): concave Slope: / 1.0 °

Subregion (LRR): LRR J Lat.: 33.170794 Long.: -97.046325 Datum: NAD83

Soil Map Unit Name: Silstid loamy fine sand, 1 to 5 percent slopes (72) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: _____)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐	_____	Number of Dominant Species That are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	0	☐	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	0	☐	_____	Percent of dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)
4. _____	0	☐	_____	
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size: _____)				Prevalence Index worksheet:
1. _____	0	☐	_____	Total % Cover of: Multiply by:
2. _____	0	☐	_____	OBL species <u>50</u> x 1 = <u>50</u>
3. _____	0	☐	_____	FACW species <u>0</u> x 2 = <u>0</u>
4. _____	0	☐	_____	FAC species <u>10</u> x 3 = <u>30</u>
5. _____	0	☐	_____	FACU species <u>0</u> x 4 = <u>0</u>
	0	= Total Cover		UPL species <u>10</u> x 5 = <u>50</u>
	0			Column Totals: <u>70</u> (A) <u>130</u> (B)
Herb Stratum (Plot size: 5 ft _____)				Prevalence Index = B/A = <u>1.857</u>
1. Persicaria hydropiperoides	50	☒	71.4% OBL	Hydrophytic Vegetation Indicators: ☒ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☒ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
2. Panicum virgatum	10	☐	14.3% FAC	
3. Croton capitatus	10	☐	14.3% UPL	
4. _____	0	☐	0.0%	
5. _____	0	☐	0.0%	
6. _____	0	☐	0.0%	
7. _____	0	☐	0.0%	
8. _____	0	☐	0.0%	
9. _____	0	☐	0.0%	
10. _____	0	☐	0.0%	
	70	= Total Cover		
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Present? Yes ☒ No ☐
1. _____	0	☐	_____	
2. _____	0	☐	_____	
	0	= Total Cover		
% Bare Ground in Herb Stratum <u>30</u>				
Remarks:				

Soil

Sampling Point: T5P2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)										
Depth (inches)	Matrix		%	Redox Features			Type ¹	Loc ²	Texture	Remarks
	Color (moist)			Color (moist)		%				
0-16	10YR	3/3	70	5YR	4/6	30	C	M	Sandy Clay Loam	

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☒ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Hydric Soil Present? Yes ☒ No ☐

Remarks:

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☒ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)	☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)
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<u>Secondary Indicators (minimum of two required)</u> ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☒ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)	Field Observations: Surface Water Present? Yes ☒ No ☐ Depth (inches): <u>3</u> Water Table Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Saturation Present? (includes capillary fringe) Yes ☒ No ☐ Depth (inches): <u>0</u>
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Wetland Hydrology Present? Yes ☒ No ☐

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

Remarks:

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T5P3

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 3.0 °

Subregion (LRR): LRR J Lat.: 33.170804 Long.: -97.046247 Datum: NAD83

Soil Map Unit Name: Silstid loamy fine sand, 1 to 5 percent slopes (72) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Juniperus virginiana	10	☒ 100.0%	UPL	Number of Dominant Species That are OBL, FACW, or FAC: 0 (A)
2.	0	☐ 0.0%		Total Number of Dominant Species Across All Strata: 4 (B)
3.	0	☐ 0.0%		Percent of dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)
4.	0	☐ 0.0%		
	10	= Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)				Prevalence Index worksheet:
1. Rubus trivialis	5	☒ 100.0%	FACU	Total % Cover of: Multiply by:
2.	0	☐ 0.0%		OBL species 0 x 1 = 0
3.	0	☐ 0.0%		FACW species 0 x 2 = 0
4.	0	☐ 0.0%		FAC species 0 x 3 = 0
5.	0	☐ 0.0%		FACU species 30 x 4 = 120
	5	= Total Cover		UPL species 70 x 5 = 350
Herb Stratum (Plot size: 5 ft)				Column Totals: 100 (A) 470 (B)
1. Bothriochloa ischaemum	60	☒ 70.6%	UPL	Prevalence Index = B/A = 4.7
2. Rubus trivialis	25	☒ 29.4%	FACU	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		
	85	= Total Cover		
Woody Vine Stratum (Plot size:)				Hydrophytic Vegetation Indicators:
1.	0	☐		☐ 1 - Rapid Test for Hydrophytic Vegetation
2.	0	☐		☐ 2 - Dominance Test is > 50%
	0	= Total Cover		☐ 3 - Prevalence Index is ≤ 3.0 ¹
% Bare Ground in Herb Stratum 0				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T5P3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix		%	Redox Features			Texture	Remarks	
	Color (moist)			Color (moist)	%	Type ¹			
0-16	7.5YR	5/6	80				Clay Loam		
+mottle	2.5Y	6/1	20				Clay Loam		

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Hydric Soil Present? Yes ☐ No ☒

Remarks:

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)	☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)
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<u>Secondary Indicators (minimum of two required)</u> ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)	Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ 0 Water Table Present? Yes ☐ No ☒ Depth (inches): _____ 0 Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____ 0
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Wetland Hydrology Present? Yes ☐ No ☒

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

Remarks:

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18
 Applicant/Owner: G and A State: Texas Sampling Point: T6P1 and P5
 Investigator(s): MP and RC Section, Township, Range: S T R
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 3.0 °
 Subregion (LRR): LRR J Lat.: 33.170548 Long.: -97.04673 Datum: NAD83
 Soil Map Unit Name: Siltid loamy fine sand, 1 to 5 percent slopes (72) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions T6P5: 33.170461, -97.046227	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: _____)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐	_____	Number of Dominant Species That are OBL, FACW, or FAC: <u>0</u> (A)
2. _____	0	☐	_____	Total Number of Dominant Species Across All Strata: <u>2</u> (B)
3. _____	0	☐	_____	Percent of dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)
4. _____	0	☐	_____	
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size: _____)				Prevalence Index worksheet:
1. _____	0	☐	_____	Total % Cover of: Multiply by:
2. _____	0	☐	_____	OBL species <u>0</u> x 1 = <u>0</u>
3. _____	0	☐	_____	FACW species <u>0</u> x 2 = <u>0</u>
4. _____	0	☐	_____	FAC species <u>10</u> x 3 = <u>30</u>
5. _____	0	☐	_____	FACU species <u>25</u> x 4 = <u>100</u>
	0	= Total Cover		UPL species <u>45</u> x 5 = <u>225</u>
Herb Stratum (Plot size: 5 ft _____)				Column Totals: <u>80</u> (A) <u>355</u> (B)
1. Bothriochloa ischaemum	35	☒	43.8% UPL	Prevalence Index = B/A = <u>4.438</u>
2. Senecio bigelovii	10	☐	12.5% UPL	
3. Ambrosia artemisiifolia	25	☒	31.3% FACU	
4. Paspalum dilatatum	10	☐	12.5% FAC	
5. _____	0	☐	0.0%	
6. _____	0	☐	0.0%	
7. _____	0	☐	0.0%	
8. _____	0	☐	0.0%	
9. _____	0	☐	0.0%	
10. _____	0	☐	0.0%	
	80	= Total Cover		
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Indicators:
1. _____	0	☐	_____	☐ 1 - Rapid Test for Hydrophytic Vegetation
2. _____	0	☐	_____	☐ 2 - Dominance Test is > 50%
	0	= Total Cover		☐ 3 - Prevalence Index is ≤ 3.0 ¹
% Bare Ground in Herb Stratum <u>0</u>				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T6P1and P5

[illegible]

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) ☐ High Water Table (A2) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)			Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)		
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Water Table Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Saturation Present? Yes ☐ No ☒ Depth (inches): <u>0</u> (includes capillary fringe)			Wetland Hydrology Present? Yes ☐ No ☒		
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available: _____					
Remarks:					

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T6P2 and P4

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): concave Slope: / 1.0 °

Subregion (LRR): LRR J Lat.: 33.170531 Long.: -97.04663 Datum: NAD83

Soil Map Unit Name: Silstid loamy fine sand, 1 to 5 percent slopes (72) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions T6P4: 33.170482, -97.046328	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size:)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐		Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
2. _____	0	☐		Total Number of Dominant Species Across All Strata: 3 (B)
3. _____	0	☐		Percent of dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)
4. _____	0	☐		
	0	= Total Cover		
Sapling/Shrub Stratum (Plot size:)				Prevalence Index worksheet:
1. _____	0	☐		Total % Cover of: Multiply by:
2. _____	0	☐		OBL species 30 x 1 = 30
3. _____	0	☐		FACW species 0 x 2 = 0
4. _____	0	☐		FAC species 10 x 3 = 30
5. _____	0	☐		FACU species 10 x 4 = 40
	0	= Total Cover		UPL species 0 x 5 = 0
Herb Stratum (Plot size: 5 ft)				Column Totals: 50 (A) 100 (B)
1. Persicaria hydropiperoides	30	☒ 60.0%	OBL	Prevalence Index = B/A = 2
2. Panicum virgatum	10	☒ 20.0%	FAC	
3. Ambrosia artemisiifolia	10	☒ 20.0%	FACU	
4. _____	0	☐ 0.0%		
5. _____	0	☐ 0.0%		
6. _____	0	☐ 0.0%		
7. _____	0	☐ 0.0%		
8. _____	0	☐ 0.0%		
9. _____	0	☐ 0.0%		
10. _____	0	☐ 0.0%		
	50	= Total Cover		
Woody Vine Stratum (Plot size:)				Hydrophytic Vegetation Indicators:
1. _____	0	☐		☐ 1 - Rapid Test for Hydrophytic Vegetation
2. _____	0	☐		☒ 2 - Dominance Test is > 50%
	0	= Total Cover		☒ 3 - Prevalence Index is ≤ 3.0 ¹
% Bare Ground in Herb Stratum 50				☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Remarks:				☐ Problematic Hydrophytic Vegetation ¹ (Explain)
				¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☒ No ☐

Soil

Sampling Point: T6P2 and P4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☒ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
---	---

Restrictive Layer (if present): Type: <u>inundated and obligate veg assumed hydric</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes ☒ No ☐
Remarks:	

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☒ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)	<u>Secondary Indicators (minimum of two required)</u> ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)
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Field Observations: Surface Water Present? Yes ☒ No ☐ Depth (inches): <u>1</u> Water Table Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Saturation Present? (includes capillary fringe) Yes ☒ No ☐ Depth (inches): <u>0</u>	Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available:	
Remarks:	

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18

Applicant/Owner: G and A State: Texas Sampling Point: T7P1 and P3

Investigator(s): MP and RC Section, Township, Range: S T R

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope: / 5.0 °

Subregion (LRR): LRR J Lat.: 33.172643 Long.: -97.047261 Datum: NAD83

Soil Map Unit Name: Birome-Rayex-Aubrey complex, 2 to 15 percent slopes (13) NWI classification: None

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

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions T7P3: 33.172642, -97.047229	

VEGETATION - Use scientific names of plants

FWS Region: GP

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:
1. Ulmus alata	30	☒ 46.2%	FACU	Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
2. Quercus stellata	20	☒ 30.8%	FACU	
3. Juniperus virginiana	15	☒ 23.1%	UPL	
4.	0	☐ 0.0%		Total Number of Dominant Species Across All Strata: 8 (B)
	65	= Total Cover		Percent of dominant Species That Are OBL, FACW, or FAC: 25.0% (A/B)
Sapling/Shrub Stratum (Plot size: 30 ft)				Prevalence Index worksheet:
1. Ulmus alata	15	☒ 42.9%	FACU	Total % Cover of: Multiply by:
2. Ligustrum sinense	20	☒ 57.1%	UPL	OBL species 0 x 1 = 0
3.	0	☐ 0.0%		FACW species 5 x 2 = 10
4.	0	☐ 0.0%		FAC species 5 x 3 = 15
5.	0	☐ 0.0%		FACU species 80 x 4 = 320
	35	= Total Cover		UPL species 35 x 5 = 175
Herb Stratum (Plot size: 5 ft)				Column Totals: 125 (A) 520 (B)
1. Fraxinus pennsylvanica	5	☒ 20.0%	FAC	Prevalence Index = B/A = 4.16
2. Carex cherokeensis	5	☒ 20.0%	FACW	
3.	0	☐ 0.0%		
4.	0	☐ 0.0%		
5.	0	☐ 0.0%		
6.	0	☐ 0.0%		
7.	0	☐ 0.0%		
8.	0	☐ 0.0%		
9.	0	☐ 0.0%		
10.	0	☐ 0.0%		
	25	= Total Cover		
Woody Vine Stratum (Plot size: 30 ft)				
1. Smilax bona-nox	15	☒ 100.0%	FACU	
2.	0	☐ 0.0%		
	15	= Total Cover		
% Bare Ground in Herb Stratum 0				
Remarks:				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is > 50% ☐ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
				Hydrophytic Vegetation Present? Yes ☐ No ☒

Soil

Sampling Point: T7P1 and P3

[illegible]

Hydrology

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)			Secondary Indicators (minimum of two required)					
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)			☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Dry Season Water Table (C2) ☐ Oxidized Rhizospheres on Living Roots (C3) (where not tilled) ☐ Presence of Reduced Iron (C4) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)			☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)		
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Water Table Present? Yes ☐ No ☒ Depth (inches): <u>0</u> Saturation Present? Yes ☐ No ☒ Depth (inches): <u>0</u> (includes capillary fringe)			Wetland Hydrology Present? Yes ☐ No ☒					
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available: _____								
Remarks:								

WETLAND DETERMINATION DATA FORM - Great Plains Region

Project/Site: Shady Shores Hidden Valley City/County: Shady Shores/Denton Sampling Date: 12-Oct-18
 Applicant/Owner: G and A State: Texas Sampling Point: T7P2
 Investigator(s): MP and RC Section, Township, Range: S T R
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): concave Slope: / 1.0 °
 Subregion (LRR): LRR J Lat.: 33.172651 Long.: -97.047249 Datum: NAD83
 Soil Map Unit Name: Birome-Rayex-Aubrey complex, 2 to 15 percent slopes (13) NWI classification: None

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soil Present? Yes ☒ No ☐ Wetland Hydrology Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Remarks: DAREM = 16; wetter than normal climatic/hydrologic conditions	

VEGETATION - Use scientific names of plants

Dominant Species? FWS Region: GP

Tree Stratum (Plot size: _____)	Absolute % Cover	Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:
1. _____	0	☐	_____	Number of Dominant Species That are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)
2. _____	0	☐	_____	
3. _____	0	☐	_____	
4. _____	0	☐	_____	
		0 = Total Cover		
Sapling/Shrub Stratum (Plot size: <u>15 ft</u>)				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>50</u> x 1 = <u>50</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>5</u> x 3 = <u>15</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>55</u> (A) <u>65</u> (B) Prevalence Index = B/A = <u>1.182</u>
1. <u>Fraxinus pennsylvanica</u>	5	☒	100.0% FAC	
2. _____	0	☐	0.0% _____	
3. _____	0	☐	0.0% _____	
4. _____	0	☐	0.0% _____	
		5 = Total Cover		
Herb Stratum (Plot size: <u>5 ft</u>)				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☒ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
1. <u>Ludwigia peploides</u>	50	☒	100.0% OBL	
2. _____	0	☐	0.0% _____	
3. _____	0	☐	0.0% _____	
4. _____	0	☐	0.0% _____	
5. _____	0	☐	0.0% _____	
6. _____	0	☐	0.0% _____	
7. _____	0	☐	0.0% _____	
8. _____	0	☐	0.0% _____	
9. _____	0	☐	0.0% _____	
10. _____	0	☐	0.0% _____	
		50 = Total Cover		
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Present? Yes ☒ No ☐
1. _____	0	☐	_____	
2. _____	0	☐	_____	
		0 = Total Cover		
% Bare Ground in Herb Stratum <u>50</u>				
Remarks:				

Soil

Sampling Point: T7P2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)									
Depth (inches)	Matrix			Redox Features				Texture	Remarks
	Color (moist)		%	Color (moist)	%	Type ¹	Loc ²		
0-16	10YR	5/1	50	5YR	3/4	10	C	M	Clay Loam
+mottle	7.5YR	5/8	40						Clay Loam

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

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) (LRR F) ☐ 1 cm Muck (A9) (LRR F,G,H) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Muck Mineral (S1) ☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) ☐ 5 cm Mucky Peat or Peat (S3) (LRR F)	☐ Sandy Gleyed Matrix S4 ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) ☐ Loamy Gleyed Matrix (F2) ☒ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☒ Redox depressions (F8) ☐ High Plains Depressions (F16) (MLRA 72 and 73 of LRR H)
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Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR I, J) ☐ Coastal Prairie Redox (A16) (LRR F, G, H) ☐ Dark Surface (S7) (LRR G) ☐ High Plains Depressions (F16) (LRR H outside of MLRA 72 and 73) ☐ Reduced Vertic (F18) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
--	---

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
Remarks:	

Hydrology

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one required; check all that apply)</u> ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☒ Water-Stained Leaves (B9)	<u>Secondary Indicators (minimum of two required)</u> ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Oxidized Rhizospheres on Living Roots (C3) (where tilled) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☒ FAC-neutral Test (D5) ☐ Frost Heave Hummocks (D7) (LRR F)
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Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☒ No ☐ Depth (inches): _____	Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitor well, aerial photos, previous inspections), if available:	
Remarks:	

Stream Data Sheet

Stream #: T1P2

Date: 10/12/18

Project Name: Shady Shores

Project #: 4300174

Location (County/State): McLennan / Texas

Field Crew: MPeters, RCohen

Stream Name: Pond 1

Stream Characteristics

a) Avg. Bank Width 150 In. (Ft.)

b) Average Width of Water 140 In. (Ft.)

c) Avg. Water Depth unk In./Ft.

Min./Max Depth unk In./Ft.

d) Depth of Streambed below top of bank unk In./Ft.

Stream flow: ☒ Perennial ☐ Intermittent ☐ Ephemeral

OHWM Width 140 In. (Ft.)

Height of OHWM above streambed In./Ft.

Top of Bank

Depth of Stream Bed (d)



Average Bank Width (a)



← Water Width (b) →

↓ Average Water Depth (c)

Substrate

☐ Bedrock

☐ Boulder

☐ Cobble

☐ Gravel

☒ Sand

☒ Silt/Clay

☒ Organic

☐ Concrete

☐ Other (Describe)

Instream Cover

☐ Undercut Banks

☒ Logs/Brush

☒ Emergent

☐ Oxbows

☒ Boulders

☒ Overhanging Vegetation

☐ Deep Pools

☐ Shallows (in slow water)

Riparian Zone (check all that are appropriate)

☒ Forest

☐ Scrub/Shrub

☐ Old-Field/ROW

☐ Pasture

☐ Row-Crop

☒ Wetland

☐ Paved

☐ Residential/Park

☐ Other

(Describe other or differences between banks):

Width of Riparian Zone (Left or right bank looking downstream)

Left 100 In. (Ft.)

Right 100 In. (Ft.)

Notes/Comments:

Stream Data Sheet

Stream #: T6P3

Date: 10/12/18

Project Name: Shady Shores

Project #: 4300174

Location (County/State): McLennan / Texas

Field Crew: MPeters, RCohen

Stream Name: Pond 2

Stream Characteristics

a) Avg. Bank Width 40 In. (Ft.)

b) Average Width of Water 30 In. (Ft.)

c) Avg. Water Depth 1 In. (Ft.)

Min./Max Depth 0 - 1.25 In. (Ft.)

d) Depth of Streambed below top of bank 2.5 In. (Ft.)

Stream flow:

☒ Perennial☐ Intermittent☐ Ephemeral

OHWM Width 35 In. (Ft.)

Height of OHWM above streambed 1.25 In. (Ft.)

Top of Bank

Depth of Stream Bed (d)



Average Bank Width (a)



← Water Width (b) →

↓ Average Water Depth (c)

Substrate

☐ Bedrock☐ Boulder☐ Cobble☐ Gravel☐ Sand☒ Silt/Clay☒ Organic☐ Concrete☐ Other (Describe)

Instream Cover

☐ Undercut Banks☐ Logs/Brush☒ Emergent☐ Oxbows☒ Boulders☐ Overhanging Vegetation☐ Deep Pools☐ Shallows (in slow water)

Riparian Zone (check all that are appropriate)

☐ Forest☐ Scrub/Shrub☐ Old-Field/ROW☒ Pasture☐ Row-Crop☒ Wetland☐ Paved☐ Residential/Park☐ Other

(Describe other or differences between banks):

Width of Riparian Zone (Left or right bank looking downstream)

Left 100 In. (Ft.)

Right 100 In. (Ft.)

Notes/Comments: banks poorly defined

Appendix B – Site Photographs



Photo 1: View, facing north, of Wetland 1 and Pond 1 located at T1P2.



Photo 2: View, facing east, of the culvert and drainage swale located at T2P2.



Photo 3: View, facing west, of the culvert that runs under Hidden Valley Road.



Photo 4: View, facing west, of the man-made drainage channel located on the western side of Hidden Valley Road.



Photo 5: View, facing north, of the upland area located at T3P1.



Photo 6: View, facing south, of a vegetated swale located at T4P1.



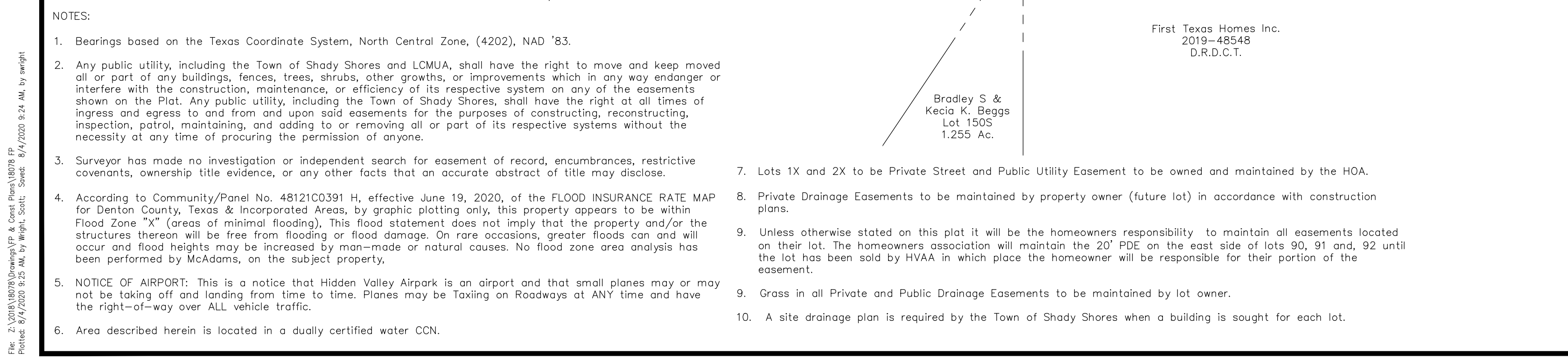
Photo 7: View, facing east, of Wetland 4 located at T5P1.



Photo 8: View, facing north, of Wetland 3 located at T6P3.



Photo 9: View, facing north, of Wetland 2 located at T7P2.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 88°58'45" E	98.00'
L2	S 01°01'15" W	30.00'
L3	S 88°58'45" E	35.00'
L4	S 88°58'45" E	30.00'
L5	S 01°02'43" W	97.20'
L6	S 88°58'45" E	55.00'
L7	S 01°02'43" W	35.00'
L8	S 43°58'45" E	81.93'
L9	S 26°01'45" E	18.19'
L10	N 00°47'20" E	13.03'
L11	N 00°47'20" E	14.46'
L12	S 89°04'15" E	13.91'
L13	N 01°01'15" E	45.76'

DEDICATION
STATE OF TEXAS:
COUNTY OF DENTON:

WHEREAS, HIDDEN VALLEY AIRPARK ASSOCIATION, INC. is the owner of all that certain lot, tract, or parcel of land situated in the W. D. Durham Survey, Abstract No. 330, Town of Shady Shores, Denton County, Texas, being a portion of that certain tract of land described in deed to Leon Franklin Brown recorded in Volume 586, Page 469, Deed Records, Denton County, Texas and being a portion of that certain tract of land described in deed to Leon Franklin Brown and Laura Brown, recorded in Document No. 2017-141676, Official Records, Denton County, Texas and being more particularly described as follows;

BEGINNING at a 1/2 inch rebar found in the northwest corner of said Brown tract, same being the southwest corner of that certain tract of land described in deed to Benjamin Henry Crowell, recorded in Document No. 2017-119135, Official Records, Denton County, Texas, and being in the east line of a private road commonly known as Hidden Valley Road;

THENCE S 89°54'5" E, with the south line of said Crowell tract passing the southeast corner thereof and continuing along said course with the south line of that certain tract of land described in deed to Tillman B. Strahorn and Ashley E. Wallace, husband and wife, recorded in Document No. 2015-52477, Official Records, Denton County, Texas, passing the southeast corner thereof and continuing along said course with the south line of Eason-Gray Cemetery, a distance of 1010.05 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", and being in the west line of that certain tract of land described in deed to Joanne Schnurbusch, a married person, recorded in Document No. 2012-105419 Official Records, Denton County, Texas;

THENCE S 00°47'20" W, with the west line said Schnurbusch tract passing the southwest corner thereof being the northwest corner of Lot Two, Block One, Madaline Murray Addition, an addition to the Town of Shady Shores, Denton County, Texas according to the plat thereof recorded in Cabinet F, Page 293, Plat Records, Denton County, Texas, and continuing along said course a distance of 340.00 feet 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE N 88°58'45" W, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", a distance of 346.65 feet;

THENCE S 01°01'15"W, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", a distance of 453.37 feet

THENCE N 88°16'25" W, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS, a distance of 200.00 feet;

THENCE S 01°43'35" W, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", in the north line of Hidden Valley Airpark, Phase V, an addition to the Town of Shady Shores, according to the plat thereof, recorded in Cabinet Y, Page 673, Plat Records, Denton County, Texas; a distance of 425.59 feet;

THENCE N 88°16'25" W, with the north line of said Hidden Valley Airpark Phase V to a metal fence corner post at the northwest corner thereof, being in the east line of Hidden Valley Airpark, Phase III, an addition to the Town of Shady Shores, Denton County, Texas, according to the plat thereof recorded in Cabinet R, Page 673, Plat Records, Denton County, Texas a distance of 460.06 feet;

THENCE N 01°02'35" E, with the east line of said Hidden Valley Airport, Phase III, and passing the northeast corner thereof and continuing along said course with the east line of that certain tract of land described in deed as Tract 1 to Hidden Valley Airport Association, Inc. recorded in Volume 551, Page 415, Deed Records, Denton County, Texas, a distance of 1210.80 feet, to the POINT OF BEGINNING, and containing approximately 19.268 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENT:

THAT, HIDDEN VALLEY AIRPARK ASSOCIATION, INC., does hereby adopt this plat designating the herein described property as HIDDEN VALLEY AIRPARK, PHASE VI in the Town of Shady Shores, Denton County, Texas and does hereby dedicate to the public use forever the street rights-of-way and public easement shown hereon.

AUTHORIZED REPRESENTATIVE
FOR HIDDEN VALLEY AIRPARK ASSOCIATION, INC.

STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, the undersigned notary Public in and for the State of Texas on this day personally appeared _____, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledges to me that she executed the same for the purpose and consideration thereon expressed, and in the

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, _____

Notary Public in the State of Texas

My Commission Expires: _____

Recommended for Approval by Planning and Zoning Commission:

Chairman: _____

Approved by Town Council: _____

Mayor: _____

Attested by:

Town Secretary: _____

Date of Town Council Approval: _____

LAKE CITIES MUNICIPAL UTILITY AUTHORITY

On the _____ day of _____, _____ all permanent Lake Cities Municipal Utility Authority (LCMUA) easements dedicated per this plat were approved and accepted by LCMUA.

Signed: _____
Mike Fairfield
General Manager
LCMUA

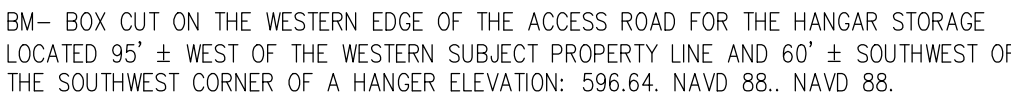
CULVERT TABLE							
LOT NUMBER	BLOCK	NUMBER OF PIPES	MIN. CULVERT SIZE (IN)	MIN. SLOPE (%)	DRAINAGE AREA (AC)	Q 100 (CFS)	V (FPS)
84*	BLOCK A	3	24	0.5	10.60	47.2	6.6
85*	BLOCK A	3	24	0.5	9.93	44.2	7.0
86*	BLOCK A	3	24	0.5	9.13	40.6	6.3
87	BLOCK A	1	18	0.5	0.47	2.1	3.6
88	BLOCK A	1	18	0.5	1.22	5.4	4.9
89	BLOCK A	1	18	0.5	0.69	3.1	4.1
90*	BLOCK A	2	18	0.5	3.27	14.6	5.6
91*	BLOCK A	1	18	0.5	2.04	9.1	6.2
92	BLOCK A	1	18	0.5	0.54	2.4	3.8
93	BLOCK A	1	18	0.5	0.27	1.2	3.1
94	BLOCK A	1	18	0.5	0.23	1.0	3.5
95	BLOCK A	1	18	0.5	0.78	3.5	4.2
96	BLOCK A	1	18	0.5	1.72	7.7	5.7
97*	BLOCK A	1	24	0.5	2.87	12.8	6.0
98*	BLOCK A	2	18	0.5	4.91	21.8	6.9
ANY CULVERTS WITH VELOCITY 6.0 FPS AND OVER SHALL REQUIRE EROSION CONTROL MEASURES (NOTED WITH A *)							

PRELIMINARY PLANS

THIS DOCUMENT IS FOR
INTERIM REVIEW AND IS
NOT INTENDED FOR
CONSTRUCTION, BIDDING
OR PERMIT PURPOSES.
G&A | MCADAMS,
TBPE: 19762
JOSHUA M. BARTON,
P.E. #129227
DATE 8/4/2020

1. Culverts in culvert table to be installed by private lot owners, not site development contractor.

*** This seal applies only to culvert table. All other items on this document fall under the seal of W. Thad Murley III, RPLS.



BM- PK NAIL SET APPROX. $\pm$ 207' SOUTH OF NORTH PROPERTY LINE. APPROX. $\pm$ 3' WEST OF THE EASTERN EDGE OF EXISTING PAVEMENT. ELEV.= 568.25. NAVD 88. NAVD 88.

SURVEYOR'S STATEMENT

I, W. Thad Murley III, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents that survey made by me or under my supervision.

PRELIMINARY DOCUMENT:
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT
BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
W. THAD MURLEY III, RPLS 5802 8/4/20

W. Thad Murley III, RPLS
Texas Registration No. 5802

FINAL PLAT
Lots 84-98, 1X, & 2X, Block A
HIDDEN VALLEY AIRPARK, PHASE VI
19.268 Acres
in the
W.D DURHAM SURVEY, ABSTRACT NO. 330
TOWN OF SHADY SHORES
DENTON COUNTY, TEXAS



DRAWN BY: MM DATE: Submit Date SCALE: 1"=80' JOB. No. 18078

OWNER/DEVELOPER
HIDDEN VALLEY ASSOCIATION
62 HIDDEN VALLEY AIRPARK
SHADY SHORES, TEXAS 76208
Ph. 972-768-0594
Contact: KYLE HARDMAN



AGENDA MEMORANDUM

DATE: August 10, 2020
TO: Town Council
FROM: Wendy Withers, Town Administrator
SUBJECT: **Budget Worksession- conduct a work session relative to the 2021 Fiscal Year Budget.**

BACKGROUND/INFORMATION:

The budget attached to this agenda item is the proposed budget that has been filed in the office of the Town Secretary as of July 31, 2020. The proposed budget is available on the Town's website as well as available for inspection in the office by appointment.

The draft budget proposes keeping the current tax rate (.321958) which will result in a 3.1% increase. Overall the budget reflects a 13.1% increase over last years budget which is due mainly to the increased cost of road repairs and maintenance for the next Fiscal year. These planned repairs are in accordance with the Town's pay-as-you go plan for road maintenance. These repairs are mainly projected to be funded using reserve funds.

FINANCIAL IMPLICATIONS:

The total proposed budget is a balanced budget with \$2,092,894 in expenditures and revenues.

RECOMMENDATION/ACTION DESIRED:

The proposed budget has been discussed during the May, June and July Town Council meetings. The public hearing will be held on August 19th, 2020 at 7:00 pm.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. PROPOSED BUDGET 2021

REVIEWED BY:

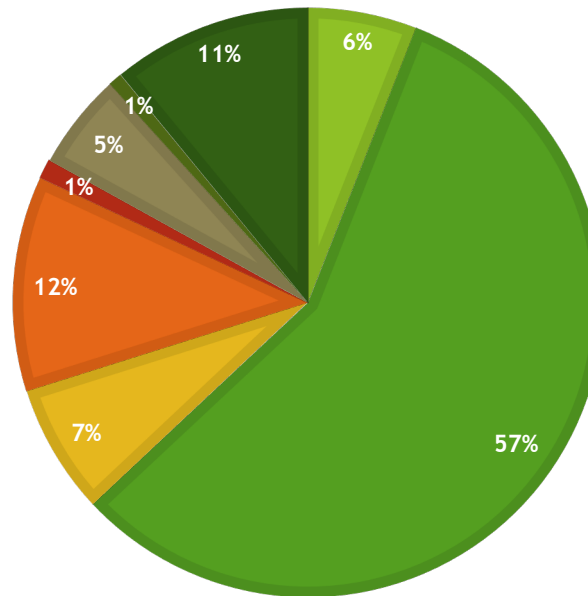
Town of Shady Shores

2021

Revenues \$2,068,894

INCOME

■ Sales Tax ■ Ad Valorem Tax ■ Franchise Payment ■ Solid Waste Revenue ■ Municipal Court ■ Development Services ■ Interest Earned ■ Other



Expenses

Administrative

Salaries and Personnel

Software and Computers

Elections

Solid Waste Contract

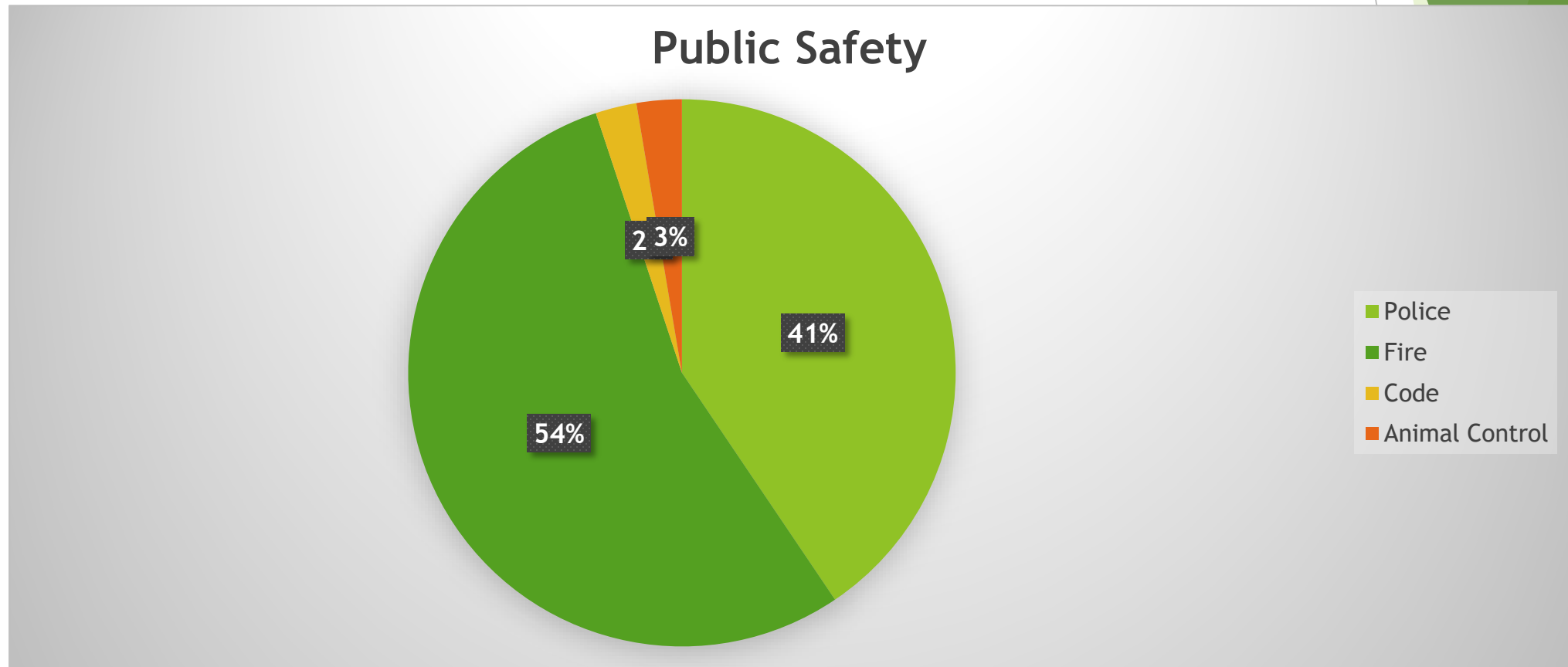
Library

Office and Building Maintenance

	2020-2021 Proposed
Salaries/Benefits	\$ 195,500
Staff Development	\$ 10,000
Professional Services	\$ 300,746
Office Expense	\$ 74,600
Administrative Expenses	\$ 37,800
Total	\$ 618,646

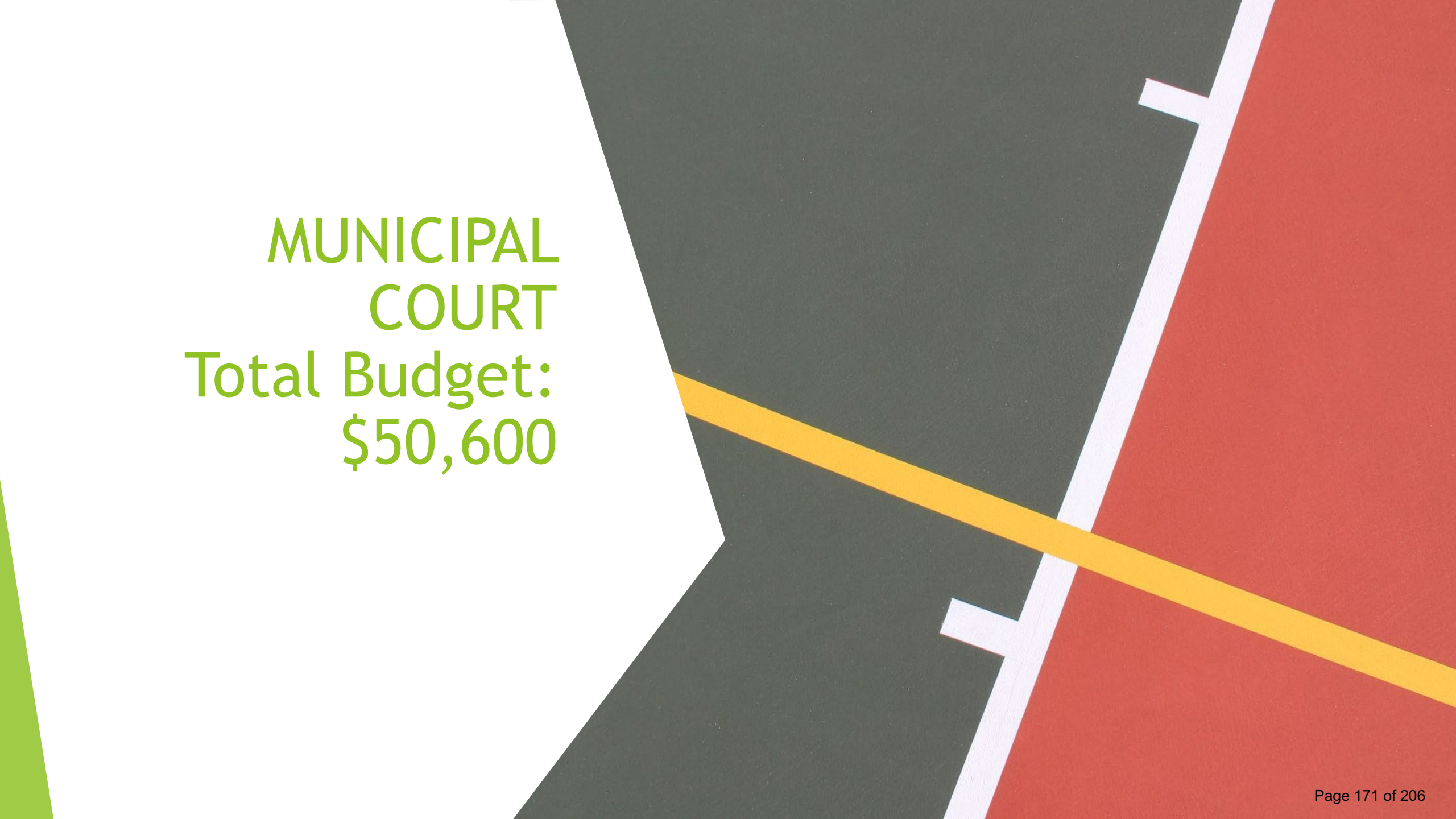
Total Administrative Budget \$618,646

Public Safety Budget



PUBLIC SAFETY

	2020-2021 Proposed
Animal Control	\$ 17,000
Code Enforcement	\$ 15,000
Police Patrol	\$ 261,852
Fire Services	\$ 320,796
Software	\$ 1,000
Grants	\$ 4,000
Total	\$ 619,648



MUNICIPAL
COURT
Total Budget:
\$50,600

MUNICIPAL COURT	PROPOSED 2020-2021
Salaries	\$16,000
Staff Development	\$ 5,000
Equipment	\$ 5,300
Contracted Services	\$14,800
Court Fines and Collections	\$13,500
Total	\$ 54,600

DEVELOPMENT
SERVICES - \$
42,500

BUILDING INSPECTOR

\$ 40,000

SOFTWARE

\$2,500

COMMUNITY OUTREACH

TOTAL
BUDGET
\$13,000



KEEP SHADY SHORES BEAUTIFUL
\$ 5,000



PROMOTIONAL
\$ 6,000



COMMUNITY EVENTS
\$ 2,000

Engineering

Total Budget: \$120,000

PUBLIC WORKS

SIGNS (TRAFFIC AND STREET SIGNS)

\$2,500

REGIONAL STORMWATER PROGRAM

\$2,500

ROAD AND STREET REPAIR

\$550,000

PUBLIC WORKS

\$45,000

TOTAL PUBLIC
WORKS
BUDGET-
\$600,500

TOTAL EXPENDITURES AT A GLANCE



TOTAL BUDGET

REVENUES
\$ 2,068,894

EXPENDITURES
\$ 2,068,894

ACCOUNT DESCRIPTION	2019-2020 Current	Current YTD	2020-2021 PROPOSED
<u>GENERAL INCOME</u>			
Ad ValoremTax	1056004	1058468.09	1095211
Sales Tax	83661	122263.21	90000
ONCOR	82000	84536.22	82000
Atmos Energy	27000	254.63	27000
CoServe	60	61.06	0
Telephone Franchise	0	30858.82	0
Charter Communication	26000	16807.32	15000
Public Information Requests	50	0	50
Other Income	100	0	100
Facility Rental	600	75	150
Reimbursements	100	11623	100
Community Events Income	1000	103.22	500
Solid Waste Collections	218000	157056	218000
Solid Waste Collection-Late Fee	1500	0	0
Connect Fees	2500	0	2500
Local government grants	4000	0	4000
Municipal Court Fines	0	8498.87	0
Variances	1000	4570	1000
Building Permit Fees	45000	7429	45000
Inspections	0	104500	0
Platting; Zoning Changes	5000	2000	5000
Interest Earned	14000	13669.53	14000
MUN Court SVC Fee Retained	20000	2592.93	20000
Zoning Building Permit Fees	0	100	0
Warrant Fee	0	68.94	0
Child Safety Seat Belt Fine	0	62.95	0
Inspections-Atkisson Ranch	0	0	0
Platting; Zoning Changes	0	0	0
Platting; Zoning Changes	0	0	0
Total	1587575	1625598.79	1619611
BUDGETED FUND BALANCE	263294	0	449283
FEMA Grant Funding	0	0	0
FHWA - Funding	0	0	0
Fund Balance Transfer	0	0	0
Total	1850869	1625598.79	2068894
<u>ADMINISTRATION</u>			
Social Security/Medicare	0	2071.08	0
Bank Service Charges	300	-5385.75	0
Software	15552	11888.36	30000
Attorney Fees	30000	21140	30000
Office Supplies	3500	4018.6	3500
Library	29046	29046	29046
Accounting/Audit fees	7545	7750	8000
Legal Advertising	2500	313.3	2500

ACCOUNT DESCRIPTION	2019-2020 Current	Current YTD	2020-2021 PROPOSED
Postage, shipping, delivery	1500	1501	1500
Codification	3500	840	4000
Election expenses	6000	0	6000
Dues	1200	1366	1500
Ad Valorem Tax Svc	7500	4875.84	7500
Contingency provisions	35007	54089	0
Office Supplies	0	33.96	0
Books, subscriptions, reference	200	126.7	200
Town Secretary	63027	51710	71500
Office Clerk	25000	19308	25000
Deputy Town Secretary	39920	32819	40000
Payroll Tax	13000	6430.82	15000
TMRS	15000	17916	18000
Staff Development	9100	2158	10000
Workers' Compensation	800	10	800
Health Care	14000	9793.25	14000
Insurance	6000	5386.62	6000
Computer Expenses	15000	10961.97	25000
Telephone	2800	1352	2800
Utility Atmos Energy	1000	739.26	1000
Utility LCMUA	1800	1679.01	1800
Utility Electric	14000	9139	14000
Building Maintenance	22000	26812.8	30000
Postage- Solid Waste	1700	521.49	0
Solid Waste Contract	187000	151204.14	200000
Salary Adjustments	35000	0	20000
Total	609497	481615.45	618646

MUNICIPAL COURT

Staff development	5000	1796.32	5000
Software	3350	2425	3700
Attorney Fees	8000	6321.3	10000
Office Supplies	100	16.49	100
Postage, shipping, delivery	1000	0	1000
Municipal Judge	4800	2800	4800
Municipal Court Clerk	12000	8222	16000
TMRS	1000	0	1000
Baliff	1000	225	500
Municipal Court Fines to State	10000	12382.89	10000
Municipal Court Jury Service	500	45	500
Deliquent Ticket Collection Fee	2000	917.8	2000
Total	48750	35151.8	54600

PUBLIC SAFETY

Social Security/Medicare	0	714.26	0
Software	800	787.5	1000
Attorney Fees	0	3077.5	0

ACCOUNT DESCRIPTION	2019-2020 Current	Current YTD	2020-2021 PROPOSED
Animal Control	16500	12422.42	17000
Code Enforcement Officer	15000	7904	15000
Fire Dept	336209	213472.64	320796
Police Patrol Svc	250864	250864	259852
Police Patrol Services- OT	2000	0	2000
Child Safety Programs	4000	4000	4000
Building Inspector	0	12630	0
Car Allowance	0	900	0
Total	625373	506772.32	619648
<u>DEVELOPMENT SERVICES</u>			
Building Inspector	29700	22400	40000
Software	2000	1050	2500
Total	31700	23450	42500
<u>COMMUNITY OUTREACH</u>			
SPAN	0	0	0
KSSB	5000	1357.7	5000
Community Events	2500	2161.01	2000
Promotional	5900	1410.76	6000
Computer Expenses	0	0	0
Contingency provisions	0	0	0
Total	13400	4929.47	13000
<u>ENGINEERING</u>			
Attorney Fees	20000	9180	20000
Contingency provisions	0	0	0
Roads / Streets	0	31606.65	0
Engineer fees	100000	64883	100000
Engineer fees	0	7461	0
Total	120000	113130.65	120000
<u>PUBLIC WORKS</u>			
Computer Expenses	0	0	0
public works materials			0
Public Works	40000	25662	45000
Signs	2500	2234.2	3000
Grants NCTCOG-FEMA CTP	0	0	0
Regional Storm Water Program	2500	100	2500
Roads / Streets	357149	0	550000
Total	402149	27996.2	600500
TOTAL EXPENSES	1850869	1193045.89	2068894
INCOME	1850869	1625598.79	2068894
NOI	0	432552.9	0

Account Description	2019-2020 Current	Current YTD	2020-2021 Requested	% Change
MC- Building Security Fund	0	319.45	0	0.00 %
Total	0	319.45	0	0.00 %
Payroll Tax	0	0	0	0.00 %
Total	0	0	0	0.00 %

Account Description	2019-2020 Current	Current YTD	2020-2021 Requested	% Change
MC - Technology Fund	0	365.42	0	0.00 %
Total	0	365.42	0	0.00 %

2020 Tax Rate Calculation Notice

Taxing Unit Name: _____

Attached are the following documents:

No New Revenue and Voter Approval Tax Rate Worksheets
Tax Rate Recap
Notice of Tax Rates (required to be posted on taxing unit website)

Approving No New Revenue Rate of _____

Voter Approval Rate of _____

(if applicable) Di Minimis Rate of _____

Please review these documents carefully and notify our office of any changes that need to be made. If any changes are made, our office will send out new documents including the revisions. Once you are satisfied that the calculation is correct, please sign this document stating that you approve the calculation worksheet that is attached to this document.

If our office is handling the Tax Rate Calculation Publication for your taxing unit, your proposed rate will determine which Notice of Public Hearing will need to be published in the newspaper and online.

Proposed Tax Rate must be provided as it is required to be listed on this year's publication. Please let me know if you have any questions.

Proposed M&O _____ (Maintenance & Operation Rate)

Proposed I&S _____ (Interest & Sinking or Debt Rate)

Proposed Total Rate _____

As a representative of _____, I approve the Tax Rate Calculation and have provided the proposed tax rate for the taxing entity listed above.

Printed name

Date

Signature

Date

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

1.	2019 total taxable value. Enter the amount of 2019 taxable value on the 2019 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 17). ¹	\$333,299,163
2.	2019 tax ceilings. Counties, Cities and Junior College Districts. Enter 2019 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other units enter "0" If your taxing units adopted the tax ceiling provision in 2019 or prior year for homeowners age 65 or older or disabled, use this step. ²	\$0
3.	Preliminary 2019 adjusted taxable value. Subtract line 2 from line 1.	\$333,299,163
4.	2019 total adopted tax rate.	\$0.321958/\$100
5.	2019 taxable value lost because court appeals of ARB decisions reduced 2019 appraised value. A. Original 2019 ARB values: \$0 B. 2019 values resulting from final court decisions: - \$0 C. 2019 value loss. Subtract B from A. ³	\$0
6.	2019 taxable value subject to an appeal under Chapter 42, as of July 25. A. 2019 ARB certified value: \$0 B. 2019 disputed value: - \$0 C. 2019 undisputed value. Subtract B from A. ⁴	\$0
7.	2019 Chapter 42 related adjusted values. Add line 5 and line 6.	\$0
8.	2019 taxable value, adjusted for actual and potential court-ordered adjustments. Add line 3 and line 7.	\$333,299,163

1 Tex. Tax Code § 26.012(14)

2 Tex. Tax Code § 26.012(14)

3 Tex. Tax Code § 26.012(13)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

No-New-Revenue Tax Rate (continued)

9.	2019 taxable value of property in territory the taxing unit deannexed after January 1, 2019. Enter the 2019 value of property in deannexed territory. ⁵	\$0
10.	2019 taxable value lost because property first qualified for an exemption in 2020. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2020 does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use 2019 market value: \$0 B. Partial exemptions. 2020 exemption amount or 2020 percentage exemption times 2019 value: + \$0 C. Value loss. Add A and B. ⁶	\$0
11.	2019 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2020. Use only those properties that first qualified in 2020; do not use properties that qualified in 2019. A. 2019 market value: \$346,401 B. 2020 productivity or special appraised value: - \$497 C. Value loss. Subtract B from A. ⁷	\$345,904
12.	Total adjustments for lost value. Add lines 9, 10C and 11C.	\$345,904
13.	Adjusted 2019 taxable value. Subtract line 12 from line 8.	\$332,953,259
14.	Adjusted 2019 total levy. Multiply line 4 by line 13 and divide by \$100.	\$1,071,969
15.	Taxes refunded for years preceding tax year 2019. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2019. Types of refunds include court decisions, Tax Code § 25.25(b) and (c) corrections and Tax Code § 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019. ⁸	\$58
16.	Taxes in tax increment financing (TIF) for tax year 2019. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the unit has no 2020 captured appraised value in Line 18D, enter "0". ⁹	\$0
17.	Adjusted 2019 levy with refunds and TIF adjustment. Add lines 14 and 15, subtract line 16. ¹⁰	\$1,072,027

5 Tex. Tax Code § 26.012(15)

6 Tex. Tax Code § 26.012(15)

7 Tex. Tax Code § 26.012(15)

8 Tex. Tax Code § 26.012(13)

9 Tex. Tax Code § 26.03(c)

10 Tex. Tax Code § 26.012(13)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

No-New-Revenue Tax Rate (continued)

18.	Total 2020 taxable value on the 2020 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in line 20). These homesteads includes homeowners age 65 or older or disabled.¹¹ A. Certified values: \$268,784,507 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$0 C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$0 D. Tax increment financing: Deduct the 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2020 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in line 23 below.¹² - \$0 E. Total 2020 value. Add A and B, then subtract C and D. \$268,784,507	
19.	Total value of properties under protest or not included on certified appraisal roll.¹³ A. 2020 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value.¹⁴ \$76,224,469 B. 2020 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included at appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll.¹⁵ + \$0	

11 Tex. Tax Code § 26.12, 26.04(c-2)

12 Tex. Tax Code § 26.03(c)

13 Tex. Tax Code § 26.01(c) and (d)

14 Tex. Tax Code § 26.01(c)

15 Tex. Tax Code § 26.01(d)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

No-New-Revenue Tax Rate (concluded)

19. (cont.)	C. Total value under protest or not certified. Add A and B.	\$76,224,469
20.	2020 tax ceilings. Counties, cities and junior colleges enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter "0". If your taxing units adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$0
21.	2020 total taxable value. Add lines 18E and 19C. Subtract line 20. ¹⁷	\$345,008,976
22.	Total 2020 taxable value of properties in territory annexed after January 1, 2019. Include both real and personal property. Enter the 2020 value of property in territory annexed. ¹⁸	\$0
23.	Total 2020 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2019. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after January 1, 2019 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2020. ¹⁹	\$4,836,862
24.	Total adjustments to the 2020 taxable value. Add lines 22 and 23.	\$4,836,862
25.	Adjusted 2020 taxable value. Subtract line 24 from line 21.	\$340,172,114
26.	2020 NNR tax rate. Divide line 17 by line 25 and multiply by \$100. ²⁰	\$0.315142/\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2020 county NNR tax rate. ²¹	\$/\$100

16 Tex. Tax Code § 26.012(6)(B)

17 Tex. Tax Code § 26.012(6)

18 Tex. Tax Code § 26.012(17)

19 Tex. Tax Code § 26.012(17)

20 Tex. Tax Code § 26.04(c)

21 Tex. Tax Code § 26.04(d)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

28.	2019 M&O tax rate. Enter the 2019 M&O tax rate.	\$0.321958/\$100
29.	2019 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$333,299,163
30.	Total 2019 M&O levy. Multiply line 28 by line 29 and divide by \$100.	\$1,073,083
31.	Adjusted 2019 levy for calculating NNR M&O taxes. Add line 31E to line 30. A. 2019 sales tax specifically to reduce property taxes. For cities, counties and hospital districts, enter the amount of additional sales tax collected and spent on M&O expenses in 2019, if any. Other taxing units, enter 0. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent. \$0 B. M&O taxes refunded for years preceding tax year 2019: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019. + \$58 C. 2019 taxes in TIF.: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2019 captured appraised value in Line 18D, enter 0. - \$0	

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate (continued)

31. (cont.)	D. 2019 transferred function.: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in E below. The taxing unit receiving the function will add this amount in E below. Other taxing units enter 0. +/- \$0 E. 2019 M&O levy adjustments.: Add A and B, then subtract C. For taxing unit with D, subtract if discontinuing function and add if receiving function. \$58	\$1,073,141
32.	Adjusted 2020 taxable value. Enter the amount in line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i>.	\$340,172,114
33.	2020 NNR M&O rate. (unadjusted) Divide line 31 by line 32 and multiply by \$100.	\$0.31547/\$100
34.	Rate adjustment for state criminal justice mandate.²³ Enter the rate calculated in C. If not applicable, enter 0. A. 2020 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$0 B. 2019 criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. \$0 C. Subtract B from A and divide by line 32 and multiply by \$100. \$0/\$100	\$0/\$100

22 [Reserved for expansion]

23 Tex. Tax Code § 26.044

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate (continued)

35.	Rate adjustment for indigent health care expenditures. ²⁴ Enter the rate calculated in C. If not applicable, enter 0.	
	A. 2020 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose.	\$0
	B. 2019 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state assistance received for the same purpose.	\$0
	C. Subtract B from A and divide by line 32 and multiply by \$100.	\$0/\$100
		\$0/\$100
36.	Rate adjustment for county indigent defense compensation. ²⁵ Enter the lessor of C and D. If not applicable, enter 0.	
	A. 2020 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.	\$0
	B. 2019 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state grants received by the county for the same purpose.	\$0
	C. Subtract B from A and divide by line 32 and multiply by \$100.	\$0/\$100
	D. Multiply B by 0.05 and divide by line 32 and multiply by \$100.	\$0/\$100
		\$0/\$100

²⁴ Tex. Tax Code § 26.0442

²⁵ Tex. Tax Code § 26.0442

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate (continued)

37.	Rate adjustment for county hospital expenditures. ²⁶ Enter the lessor of C and D, if applicable. If not applicable, enter 0. A. 2020 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020 \$0 B. 2019 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2018 and ending on June 30, 2019. \$0 C. Subtract B from A and divide by line 32 and multiply by \$100. \$0/\$100 D. Multiply B by 0.08 and divide by line 32 and multiply by \$100. \$0/\$100	\$0/\$100
38.	Adjusted 2020 NNR M&O rate. Add lines 33, 34, 35, 36, and 37.	\$0.31547/\$100
39.	2020 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply line 38 by 1.08. Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 38 by 1.035 Taxing unit affected by disaster declaration. If the taxing unit is located in an area declared as disaster area, the governing body may direct the person calculating the voter-approval rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval rate in this manner until the earlier of 1) the second year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, and 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply line 38 by 1.08. ²⁷	\$0.326511/\$100

26 Tex. Tax Code § 26.0443

27 Tex. Tax Code § 26.04(c-1)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate (concluded)

40.	Total 2020 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A: Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount. \$0 B: Subtract unencumbered fund amount used to reduce total debt. -\$0 C: Subtract certified amount spent from sales tax to reduce debt (enter zero if none). -\$0 D: Subtract amount paid from other resources. -\$0 E: Adjusted debt. Subtract B, C and D from A. \$0	
41.	Certified 2019 excess debt collections. Enter the amount certified by the collector.²⁸	\$0
42.	Adjusted 2020 debt. Subtract line 41 from line 40E.	\$0
43.	2020 anticipated collection rate. If the anticipated rate in A is lower than actual rates in B, C or D, enter the lowest rate from B, C or D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ²⁹ A. Enter the 2020 anticipated collection rate certified by the collector.³⁰ 100.000000% B. Enter the 2019 actual collection rate. 98.000000% C. Enter the 2018 actual collection rate. 100.000000% D. Enter the 2017 actual collection rate. 101.000000% 100.000000%	
44.	2020 debt adjusted for collections. Divide line 42 by line 43.	\$0
45.	2020 total taxable value. Enter the amount on line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>.	\$345,008,976
46.	2020 debt rate. Divide line 44 by line 45 and multiply by \$100.	\$0/\$100
47.	2020 voter-approval tax rate. Add lines 39 and 46.	\$0.326511/\$100
48.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2020 county voter-approval tax rate.	\$/\$100

28 Tex. Tax Code § 26.012(10) and 16.04(b)

29 Tex. Tax Code § 26.04(h),(h-1) and (h-2)

30 Tex. Tax Code § 26.04(b)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

For each tax year before 2020, the difference between the adopted tax rate and voter-approval rate is considered zero, therefore the unused increment rate for 2020 is zero.⁴⁰

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴¹

61.	2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0/\$100
62.	2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0/\$100
63.	2017 unused increment rate. Subtract the 2017 actual tax rate and the 2017 unused increment rate from the 2017 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0/\$100
64.	2020 unused increment rate. Add lines 61, 62, and 63.	\$0/\$100
65.	2020 voter-approval tax rate, adjusted for unused increment rate. Add line 64 to one of the following lines (as applicable): line 47, line 48 (counties), line 56 (taxing units with the additional sales tax) or line 60 (taxing units with pollution control).	\$0.326511/\$100

³⁹ Tex. Tax Code § 26.013(a)

⁴⁰ Tex. Tax Code § 26.013(c)

⁴¹ Tex. Tax Code § 26.063(a)(1)

2020 Tax Rate Calculation Worksheet

TOWN OF SHADY SHORES

De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit. ⁴²

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. ⁴³

66.	Adjusted 2020 NNR M&O tax rate. Enter the rate from line 38 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0.31547/\$100
67.	2020 total taxable value. Enter the amount from line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$345,008,976
68.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by line 67 and multiply by \$100.	\$0.144923/\$100
69.	2020 debt rate. Enter the rate from line 46 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0/\$100
70.	De minimis rate. Add lines 66,68, and 69.	\$0.460393/\$100

⁴² Tex. Tax Code § 26.012(8-a)

⁴³ Tex. Tax Code § 26.063(a)(1)

Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-New-Revenue tax rate. As applicable, enter the 2020 NNR tax rate from: line 26, line 27 (counties), or line 54 (adjusted for sales tax).

\$0.315142/\$100

Voter-approval tax rate. As applicable, enter the 2020 voter-approval tax rate from: line 47, line 48 (counties), line 56 (adjusted for sales tax), line 60 (adjusted for pollution control), or line 65 (adjusted for unused increment).

\$0.326511/\$100

De minimis rate. If applicable, enter the de minimis rate from line 70.

\$0.460393/\$100

Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have calculated the tax rates in accordance with requirements in Tax Code. ⁴⁴

Print Here

Printed Name of Taxing Unit Representative

Sign Here

Taxing Unit Representative

Date

⁴⁴ Tex. Tax Code § 26.04(c)

**2020 Notice of No-New-Revenue Tax Rate
Worksheet for Calculation of Tax Increase/Decrease**

Entity Name: TOWN OF SHADY SHORES

Date: 08/01/2020

1. 2019 taxable value, adjusted for court-ordered reductions. Enter line 8 of the No-New-Revenue Tax Rate Worksheet.	\$333,299,163
2. 2019 total tax rate. Enter line 4 of the No-New-Revenue Tax Rate Worksheet.	0.321958
3. Taxes refunded for years preceding tax year 2019. Enter line 15 of the No-New-Revenue Tax Rate Worksheet.	\$58
4. Last year's levy. Multiply Line 1 times Line 2 and divide by 100. To the result, add Line 3.	\$1,073,141
5. 2020 total taxable value. Enter Line 21 of the No-New-Revenue Tax Rate Worksheet.	\$345,008,976
6. 2020 no-new tax rate. Enter line 26 of the No-New-Revenue Tax Rate Worksheet or Line 54 of the Additional Sales Tax Rate Worksheet.	0.315142
7. 2020 taxes if a tax rate equal to the no-new-revenue tax rate is adopted. Multiply Line 5 times Line 6 and divide by 100.	\$1,087,268
8. Last year's total levy. Sum of line 4 for all funds.	\$1,073,141
9. 2020 total taxes if a tax rate equal to the no-new-revenue tax rate is adopted. Sum of line 7 for all funds.	\$1,087,268
10. Tax Increase (Decrease). Subtract Line 8 from Line 9.	\$14,127

TOWN OF SHADY SHORES

Tax Rate Recap for 2020 Tax Rates

Description of Rate	Tax Rate Per \$100	Tax Levy This is calculated using the Total Adjusted Taxable Value (line 25) of the No-New-Revenue Tax Rate Worksheet	Additional Tax Levy Compared to <u>last year's tax levy</u> of 1,073,083	Additional Tax Levy Compared to <u>no-new-revenue tax rate levy</u> of 1,072,025
Last Year's Tax Rate	0.321958	\$1,095,211	\$22,128	\$23,186
No-New-Revenue Tax Rate	0.315142	\$1,072,025	\$-1,058	\$0
Notice & Hearing Limit*	0.315142	\$1,072,025	\$-1,058	\$0
Voter-Approval Tax Rate	0.326511	\$1,110,699	\$37,616	\$38,674
Proposed Tax Rate	0.000000	\$0	\$-1,073,083	\$-1,072,025

No-New-Revenue Tax Rate Increase in Cents per \$100

0.00	0.315142	1,072,025	-1,058	0
0.50	0.320142	1,089,034	15,950	17,009
1.00	0.325142	1,106,042	32,959	34,017
1.50	0.330142	1,123,051	49,968	51,026
2.00	0.335142	1,140,060	66,976	68,034
2.50	0.340142	1,157,068	83,985	85,043
3.00	0.345142	1,174,077	100,994	102,052
3.50	0.350142	1,191,085	118,002	119,060
4.00	0.355142	1,208,094	135,011	136,069
4.50	0.360142	1,225,103	152,019	153,077
5.00	0.365142	1,242,111	169,028	170,086
5.50	0.370142	1,259,120	186,037	187,095
6.00	0.375142	1,276,128	203,045	204,103
6.50	0.380142	1,293,137	220,054	221,112
7.00	0.385142	1,310,146	237,062	238,120
7.50	0.390142	1,327,154	254,071	255,129
8.00	0.395142	1,344,163	271,080	272,138
8.50	0.400142	1,361,172	288,088	289,146
9.00	0.405142	1,378,180	305,097	306,155
9.50	0.410142	1,395,189	322,105	323,164
10.00	0.415142	1,412,197	339,114	340,172
10.50	0.420142	1,429,206	356,123	357,181
11.00	0.425142	1,446,215	373,131	374,189
11.50	0.430142	1,463,223	390,140	391,198
12.00	0.435142	1,480,232	407,148	408,207
12.50	0.440142	1,497,240	424,157	425,215
13.00	0.445142	1,514,249	441,166	442,224
13.50	0.450142	1,531,258	458,174	459,232
14.00	0.455142	1,548,266	475,183	476,241
14.50	0.460142	1,565,275	492,191	493,250

- *Notice & Hearing Limit Rate: This is the highest tax rate that may be adopted without notices and a public hearing. It is the lower of the voter-approval tax rate or the no-new-revenue tax rate.

Tax Levy: This is calculated by taking the adjusted taxable value (line 25 of No-New-Revenue Tax Rate Worksheet), multiplying by the appropriate rate, such as the No-New-Revenue Tax Rate and dividing by 100.

For School Districts: This is calculated by taking the adjusted taxable value (line 34 of the Voter-Approval Tax Rate Worksheet), multiplying by the appropriate rate, dividing by 100 and then adding this year's frozen tax levy on homesteads of the elderly.

Additional Levy Last Year: This is calculated by taking Last Year's taxable value (line 3 of No-New-Revenue Tax Rate Worksheet), multiplying by Last Year's tax rate (line 4 of No-New-Revenue Tax Rate Worksheet) and dividing by 100.

For School Districts: This is calculated by taking Last Year's taxable value, subtracting Last Year's taxable value for the elderly, multiplying by Last Year's tax rate, dividing by 100 and adding Last Year's tax ceiling.

Additional Levy This Year: This is calculated by taking the current adjusted taxable value, multiplying by the No-New-Revenue Tax Rate and dividing by 100.

For School Districts: This is calculated by taking the adjusted taxable value (line 34 of the Voter-Approval Tax Rate Worksheet), multiplying by the No-New-Revenue Tax Rate, dividing by 100 and adding This Year's tax ceiling.

COUNTIES ONLY: All figures in this worksheet include ALL County Funds. Tax Levy amounts are the sum of each Fund's Taxable Value X each Fund's Tax Rate.

2020 Notice of Tax Rates in TOWN OF SHADY SHORES

Property Tax Rates in TOWN OF SHADY SHORES . This notice concerns the 2020 property tax rates for TOWN OF SHADY SHORES . This notice provides information about two tax rates. The no-new-revenue tax rate would Impose the same amount of taxes as last year if you compare properties taxed in both years. The voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$1,072,027
This year's adjusted taxable value (after subtracting value of new property)	\$340,172,114
=This year's no-new-revenue tax rate	0.315142/\$100
+This year's adjustments to the no-new-revenue tax rate	\$0 /\$100
=This year's adjusted no-new-revenue tax rate	0.315142/\$100

This is the maximum rate the taxing unit can propose unless it publishes a notice and holds a hearing.

This year's voter-approval tax rate:

Last year's adjusted operating taxes (after adjusting as required by law)	\$1,073,141
This year's adjusted taxable value (after subtracting value of new property)	\$340,172,114
=This year's voter-approval operating tax rate	0.315470/\$100
×(1.035 or 1.08, as applicable) = this year's maximum operating rate	0.326511/\$100
+This year's debt rate	0.000000/\$100
+The unused increment rate, if applicable	0.000000/\$100
=This year's total voter-approval tax rate	0.326511/\$100

This is the maximum rate the taxing unit can adopt without an election for voter approval.

Unencumbered Fund Balances:

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Fund	Balance
GENERAL FUND	\$999,296

This notice contains a summary of the no-new-revenue and voter-approval calculations as certified by

Name of person preparing this notice: Michelle French

Position: Tax Assessor Collector

Date prepared: July 25, 2020

You can inspect a copy of the full calculations on the taxing unit's website at:
www.tax.dentoncounty.com.

Town of Shady Shores

2020-2021 Fiscal Year Budget and Taxation Calendar

Monday August 10 th	Special Meeting of the Town Council • Vote to consider a proposed tax rate and schedule public hearing on September 14, 2020 (Regular Council Meeting) if the proposed tax rate exceeds the no-new-revenue rate. • Vote to schedule a Public Hearing for the Budget on August 17, 2020.
Friday, July 31st	Proposed Budget placed on file with Town Secretary TEX. LOC. GOV'T CODE § 102.005 <i>(before 30th day before tax rate is adopted)</i>
Wednesday, August 7 th	Notice of Budget Hearing Published TEX. LOC. GOV'T CODE § 102.0065 <i>(not later than 10th day before the budget hearing)</i>
Wednesday, August 19th	Special Called Meeting of the Town Council • Public Hearing on the budget. TEX. LOC. GOV'T CODE §102.0065 <i>(15 days or more after filing with Town Secretary, but before tax levy).</i>
Monday, September 14 th	Regular Meeting of the Town Council • Public Hearing on Tax Rate Increase (if proposed tax rate exceeds the no-new-revenue rate.) • Adoption of the 2021 Fiscal Year Budget • Adoption of 2020 Tax Rate



AGENDA MEMORANDUM

DATE: July 13, 2020
TO: Town Council
FROM: Wendy Withers, Town Administrator
SUBJECT: **Pending and Contemplated Litigation - consider and act on pending and contemplated litigation regarding the existing municipal court cases styled "State of Texas versus Douglas Taft"**

BACKGROUND/INFORMATION:

Consider and act on taking next steps regarding an existing municipal court case.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY: