

## **ORDINANCE NO. 12-02-2022**

**AN ORDINANCE ADOPTING THE ANNEXATION POLICY PLAN OF SANTAQUIN CITY, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS**, the City of Santaquin is a fourth-class city of the state of Utah; and

**WHEREAS**, the Santaquin City Council entered into an Interlocal Cooperation Agreement on August 25, 2011; and

**WHEREAS**, the Santaquin City Council approved Resolution 04-07-2021 on April 6, 2021, a resolution approving an Addendum to the Interlocal Cooperation Agreement Establishing the Payson/Santaquin Annexation Boundary; and

**WHEREAS**, Section 10-2-401.5 of Utah Code Annotated 1953 requires that a municipality adopt an annexation policy plan before annexing an unincorporated area located within a specified county; and

**WHEREAS**, the Santaquin City Council drafted an amendment to the Santaquin Annexation Policy Plan to reflect the arrangements made with Payson City in the Addendum to the Interlocal Cooperation Agreement Establishing the Payson/Santaquin Annexation Boundary; and

**WHEREAS**, in accordance with Section 10-2-401.5 of Utah State Code Annotated 1953, Santaquin City provided notice of a public meeting for the Planning Commission to each affected entity at least 14 days before the meeting; and

**WHEREAS**, in accordance with Section 10-2-401.5 of Utah State Code Annotated 1953, the Santaquin City Planning Commission held a public meeting on November 8, 2022, and a comment period followed to allow affected entities to examine the proposed amendments and provide input as necessary, which comment period lasted until November 18, 2022; and

**WHEREAS**, no comments were received by affected entities; and

**WHEREAS**, in accordance with Section 10-2-401.5 of Utah State Code Annotated 1953, Santaquin City provided notice of a public hearing at a Planning Commission meeting to each affected entity at least 14 days before the meeting; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on November 22, 2022, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City in accordance with Section 10-9a-204 of the Utah State Code; and

**WHEREAS**, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

**WHEREAS**, in accordance with Section 10-2-401.5 of Utah State Code Annotated 1953, Santaquin City provided notice of a public hearing at a City Council meeting to each affected entity at least 14 days before the meeting; and

**WHEREAS**, the Santaquin City Council held a public hearing on December 20, 2022, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City in accordance with Section 10-9a-204 of the Utah State Code; and

**WHEREAS**, after the noted public hearing, the Santaquin City Council considered the recommendation of the Planning Commission and reviewed the draft of the proposed Annexation Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Santaquin City, State of Utah, as follows:

**Section I. Adoption of Annexation Policy Plan**

The attached Annexation Policy Plan including all maps, is hereby adopted as the official annexation policy plan of Santaquin City.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**Section III. Codification, Inclusion in the Code, and Scrivener's Errors**

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

**Section IV. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, December 21, 2022. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

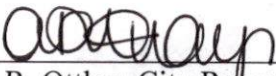
PASSED AND ADOPTED this 20<sup>th</sup> day of December 2022.



  
Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	<u>YES</u>
Councilmember Elizabeth Montoya	Voted	<u>YES</u>
Councilmember Lynn Mecham	Voted	<u>YES</u>
Councilmember Jeff Siddoway	Voted	<u>YES</u>
Councilmember David Hathaway	Voted	<u>YES</u>

ATTEST:

  
Amalie R. Ottley, City Recorder

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 20<sup>th</sup> day of December 2022, entitled

**“AN ORDINANCE ADOPTING THE ANNEXATION POLICY PLAN OF SANTAQUIN CITY, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 20<sup>th</sup> day of December 2022.

(SEAL)



\_\_\_\_\_  
Amalie R. Ottley  
Santaquin City Recorder

AFFIDAVIT OF POSTING


STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, Amalie R. Ottley, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 20<sup>th</sup> day of December 2022.

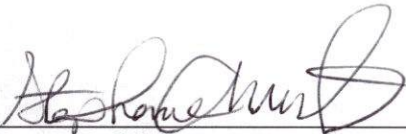
The three places are as follows:

1.     Zions Bank
2.     Post Office
3.     City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

  
\_\_\_\_\_  
Amalie R. Ottley  
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 21 day of December 2022 by Amalie R. Ottley.

  
\_\_\_\_\_  
Notary Public







# Annexation Policy Plan & Map

Adopted December 20, 2022

Ordinance No. 12-02-2022





## ANNEXATION POLICY PLAN

### I. Introduction

In accordance with Section 10-2-401.5, Utah State Code, “no municipality may annex unincorporated area located within a specified county unless the municipality has adopted an annexation policy plan.” An Annexation Policy Plan is a guide for the City to make decisions regarding future annexations and helps the city plan for future expansion in conjunction with neighboring political entities. The Annexation Policy Plan works in conjunction with the general plan. Open communication between a city and other political entities, particularly Utah County, is a priority in the process of developing and implementing an Annexation Policy Plan. The following document addresses the requirements outlined in Section 10-2-401.5.

### II. Purpose

The purpose of this plan is to remain in compliance with State requirements as well as the goals and policies of the recently adopted General Plan. The General Plan addresses the impacts of the City’s increasing population and demand for housing developments. It also outlines appropriate development types in unincorporated areas which the City may annex in the future. This plan establishes an expansion area and policies for expansion consistent with the General Plan.

### III. The Plan

Utah State Code Annotated (UCA), Section 10-2-401.5 requires that each Policy Plan include the following:

- (a) A map of the expansion area which may include territory located outside the county in which the municipality is located;
- (b) A statement of the specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions, addressing matters relevant to those criteria including:
  - (i) The character of the community;
  - (ii) The need for municipal services in developed and undeveloped unincorporated areas;
  - (iii) The municipality's plans for extension of municipal services;
  - (iv) How the services will be financed;
  - (v) An estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area; and
  - (vi) The interests of all affected entities;
- (c) Justification for excluding from the expansion area any area containing urban development within 1/2 mile of the municipality's boundary; and



## ANNEXATION POLICY PLAN

(d) A statement addressing any comments made by affected entities at or within ten days after the public meeting required by U.C.A. 10-2-401.5.

### IV. Map of the Expansion Area

The amended expansion area map is attached hereto as Exhibit A.

### V. Criteria for Granting of Future Annexation Petitions

Except under the very limited circumstances established in section 10-2-418 of the Utah Code, the process of annexation does not occur without a petition that is signed by the owners of the majority of the privately owned property covered by the petition. The Santaquin City Council believes that annexation should only occur when: (1) the owners of the property and the City agree that annexation will benefit the owners of the property proposed for annexation; and (2) when the annexation will not result in substantial negative impact to existing residents of the City.

This Annexation Policy Plan includes certain areas that are covered by a pending petition for annexation into the City. Any petition must be evaluated under the criteria found in Utah State Code Title 10-2-403.5(3) which include the criteria below:

#### Character of the Community

The community vision stated in the General Plan is:

“Santaquin residents enjoy living in a community featuring orchards, wilderness access, world-class recreation, a historical mining district, and working lands, while having access to regional opportunities—all hallmarks of the lifestyle that Santaquin residents have enjoyed for generations. Our families value these qualities and are committed to preserving Santaquin’s small town character while nurturing the City as it grows.

Together, we will:

- Plan proactively, working with the market to encourage development patterns that align with community goals while honoring private property rights.
- Encourage a focused growth strategy as a part of actively supporting and preserving agricultural pursuits and community heritage.
- Expand opportunities for farmers to continue farming if they choose.
- Create and maintain a variety of welcoming neighborhoods so our families and future generations can thrive.
- Enhance downtown, creating a place to gather and enjoy time together.





## ANNEXATION POLICY PLAN

- Grow our recreational opportunities to better enjoy our community, the mountains, and the great outdoors.”

The present boundaries of Santaquin City and most of the proposed Expansion Area includes a large amount of crop producing lands that are consistent with the City’s agricultural heritage. Having these lands in the City enables Santaquin to better encourage the future uses and development of the gateways to the City. The City also encourages planning and forethought regarding the considerable amount of vacant ground in the area.

Some of the area that is included in the amended Expansion Area includes sensitive lands that back onto United States Forest Service property or State of Utah Division of Wildlife Resource lands. Access to these public lands and associated recreation opportunities has been a major concern for residents of the area. With these lands in Santaquin City, access points, trails, and open space areas can be established, which allow continued access and enjoyment of public lands by area citizens and City residents.

### The Need for Municipal Services in Developed and Undeveloped Unincorporated Areas

Services currently provided by Santaquin City include sewer and water systems, waste disposal, drainage and facilities for them, public utilities, rights-of-way, easements, police and fire protection, and other public services, including parks and recreation facilities. Many of these facilities or systems are addressed with the City’s Capital Improvement Plans (CIP). These plans are an important part of the City’s operations, and, periodically, must be reviewed and updated within the context of all General Plan or other CIP elements which may change against the broader context of economic, social, and political standards of the City. These plans should especially be reviewed when considering petitions for annexation of areas which do not currently have services or where services must be updated or improved to meet City standards.

Culinary and irrigation services for much of the northern plan area are currently serviced by the Spring Lake Water Users Association or private wells. Extension of the City’s culinary and irrigation services will be development driven and financed. However, the City is presently expanding its ability to provide culinary and pressurized irrigation water in areas of the City and has contemplated additional capacity in lines where future development, including future development in the expansion area, is anticipated to occur in the near future. Until such time as City service lines are available, Santaquin will need to contract with the Spring Lake Water Users Association for continued services to those properties currently serviced. Persons utilizing well water will be able to continue use of those wells without having to dedicate them to the City before development of their property occurs.





## ANNEXATION POLICY PLAN

Most of the existing homes within the expansion area utilize septic tanks for sewage disposal. Until additional trunk lines and a new wastewater treatment facility are constructed for Santaquin, these properties will be able to continue use of the septic system in accordance with State health codes and standards.

Waste disposal for most of the expansion area is currently handled through Utah County. Santaquin City contracts with a commercial waste disposal company and has provided in the service agreement for the availability for such service in areas that are annexed into the City.

Power needs in the areas north of the Highline Canal are handled through the South Utah Valley Electric Company. Santaquin will seek to establish appropriate franchise agreements with this company for continued service as needed.

Part of this area is currently within the Payson City EMS service area. However, the Santaquin City Department of Public Safety has also provided such service to the area as needed and with the recently completed expansion of its Public Safety facilities is equipped to provide Police, Fire, and EMS services in the expansion area in connection with reasonably anticipated growth.

### The Municipality's Plans for Extension of Municipal Services

As is discussed above, many homes and areas within this annexation plan are currently provided services through private or personal means. Police, Fire, EMS and Residential Waste Disposal services will be provided to all areas upon annexation and will be expanded as necessary with development. Extension of City utility services within this area will be based on development driven demands. Santaquin City has adopted, and regularly updates, capital facility master plans for water, sewer, storm drainage transportation, and park/recreational amenities. These plans include many of the areas outlined in the Annexation Policy Plan. When areas aren't included in the studies of the capital facility master plans, the City requires that studies are complete and the associated master plans are updated accordingly in order to provide sufficient capacity for future growth.

### How the services will be financed

Much of the infrastructure costs will be born by the developers of properties in the area. The City has also established Impact Fees, in accordance with U.C.A. 11-36: Impact Fees Act to help fund many improvements. Current impact fees include Water, Sewer, Public Safety, and Parks and Recreation. These impact fees are reviewed as needed. The City Council has initiated a study for a circulation impact fee as well as establishing a Santaquin Special Service District to provide City services.





## ANNEXATION POLICY PLAN

An estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area

The following table shows the current tax rates in Santaquin and on those unincorporated properties around Santaquin.

Taxing Unit	Utah County District 120*	Utah County District 125*	Juab County**	Santaquin	
				Utah Co.*	Juab Co.**
County	0.000661	0.000661	0.001851	0.000661	0.001851
Central Utah Water	0.0004	0.0004	0.000400	0.0004	0.000400
State A/C	0.000015	0.000015	0.000015	0.000015	0.000015
Local A/C	0.000111	0.000111	0.000319	0.000111	0.000319
School	0.007583	0.007583	0.005539	0.007583	0.005539
Basic School			0.001652		0.001652
Charter School			0.000017		0.000017
City				0.000935	0.000858
East Juab WCD			0.000140		0.000140
Law Enforcement					
Fire			0.000521		0.000521
Special District	0.001409	0.001156			
<b>Total Tax Rate</b>	<b>0.010179</b>	<b>0.009926</b>	<b>0.010454</b>	<b>0.009705</b>	<b>0.011312</b>

\* Information obtained from Utah County Auditors Website, July 26, 2022

\*\* Information obtained from Juab County Treasurers Office, July 28, 2022

Currently Santaquin has a lower overall tax rate than those properties located in Districts 120 and 125 of Utah County. This is the majority of developed and useable properties between Spanish Fork and Santaquin. Those properties in Juab County would see an increase of 0.000858 or 0.0858 percent if annexed into Santaquin.

### The Interests of All Affected Entities

The Santaquin City Council and Payson City Council approved an inter-local agreement on April 7, 2021 to establish a future boundary line between the respective cities (see Exhibit B).

After required notification was provided, the Santaquin City Planning Commission held a public meeting on November 8, 2022 to discuss this plan with affected entities, as defined in Utah Code Ann. § 10-2-401 including, but not limited to, Utah County, Juab County, the Towns of Genola and Rocky Ridge, and Nebo School District. After required notification was provided, the Santaquin City Planning Commission held a public hearing on November 22, 2022. No expressions of interest or concerns were raised by affected entities at either meeting.





## ANNEXATION POLICY PLAN

Santaquin City's planning policies include coordination of land uses and circulation plans with neighboring jurisdictions and planning agencies. Santaquin City elected officials and staff will coordinate planning efforts with each adjacent jurisdiction.

### VI. Urban Development within 1/2 mile of the Municipality's Boundary

There are currently no urban developments, as defined by U.C.A., Section 10-2-401 Definitions, within ½ mile of the City's boundary. However, the hamlet of Spring Lake, which is an unincorporated community, abuts this annexation plan area. The community consists of approximately 60 homes built on ½ acre or larger lots. This community was established about the same time as Santaquin and included the residence of Benjamin F. Johnson who settled Summit City (renamed Santaquin City). Residents in this area have a strong sense of identity and association amongst themselves as an independent affiliate with Payson or Santaquin. Many residents believe either Payson or Santaquin will annex them in the future, but prefer to remain disassociated with either at this time.

### VII. Additional Considerations

Section 10-2-401.5(4) of the Utah Code identifies areas to be considered by the Planning Commission and the City Council in establishing an Annexation Policy Plan. Each of these areas is listed in the chart below with a corresponding summary of the consideration.

Item for Consideration	Consideration
Attempts to avoid gaps between or overlaps with the expansion areas of other municipalities	<p>With this amendment, there are no gaps between the Santaquin, Genola, Rocky Ridge, or the Payson Expansion Areas.</p> <p>There is an existing overlap of 0.75 square miles or 480 acres with Genola.</p>
Population growth projections for the municipality and adjoining areas for the next 20 years	<p>A development proposal for the majority of vacant ground south of Spring Lake could add over 400 homes (approx. 1500 people) to the area in the next 15 years. Other housing increases east of I-15 would likely be small ranchette or farm related housing in accordance with the City's General Plan.</p> <p>Projections for areas north of the City have been addressed in the Santaquin City General Plan.</p> <p>Future development on prime agriculture areas would be predicated upon the timing of the interchange installation at 12400 South and I-15. This will be a catalyst for larger commercial and housing related developments north of Santaquin City. The UDOT plans show this as a possibility after 2030.</p>
Current and projected costs of infrastructure, urban services, and public facilities necessary:	<p>Costs of materials to construct necessary infrastructure are continuing to increase. The ability of the City to finance future improvements and expand infrastructure has been addressed</p>





## ANNEXATION POLICY PLAN

<p>(i) to facilitate full development of the area within the municipality (ii) to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area;</p>	<p>above and in the Santaquin City General Plan, which is incorporated herein by reference. Capital Facilities studies have been initiated by the City to address costs for expansion of water systems, sewer expansion plans, roads, storm water, and parks facilities.</p>
<p>in conjunction with the municipality's general plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development</p>	<p>Areas east of I-15 for commercial development will likely occur at the intersection of 12400 South and Highway 198. Other areas within the City have been designated in the General Plan for more intense commercial or industrial uses.</p>
<p>the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality</p>	<p><b>Agricultural Lands</b> This is addressed in detail within the Santaquin City General Plan. Santaquin City was recognized by the State legislature in 2007 for its efforts to establish a State Farming Heritage District in the area. The large amounts of crop producing lands and equestrian focused properties within this plan are consistent with this recognition and the City's agricultural heritage.</p> <p><b>Forest Lands</b> 40 acres of currently USDA Forest Service property has been included in the expansion area. These lands were included because the Uinta National Forest had suggested exchanging the property to private ownership.</p> <p><b>Recreational Lands</b> There are no Federal or State Recreation lands included in the Expansion Area</p> <p><b>Wildlife Management Areas</b> The Plan includes approximately 350 acres of BLM or State-owned ground in the northwest area. This property is included because of future development potential and to avoid gaps between the Genola and Santaquin expansion areas.</p> <p>Near the south end of the expansion area the City has included nearly 400 acres of State-owned property currently used for Elk management. Of the 400 acres only 60 acres could be easily developed for commercial purposes being located within 300 feet of the southern Santaquin I-15 interchange. Note: State law dictates that Fire protection on State owned property which has been incorporated must be paid for by the City in which the property is located.</p>

### VIII. Conclusions

This plan addresses each of the items required by U.C.A. 10-2-401.5. It is created to comply with State requirements and further the goals and policies of the Santaquin City General Plan. Santaquin City's aim is to provide a small-town atmosphere with well-



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## ANNEXATION POLICY PLAN

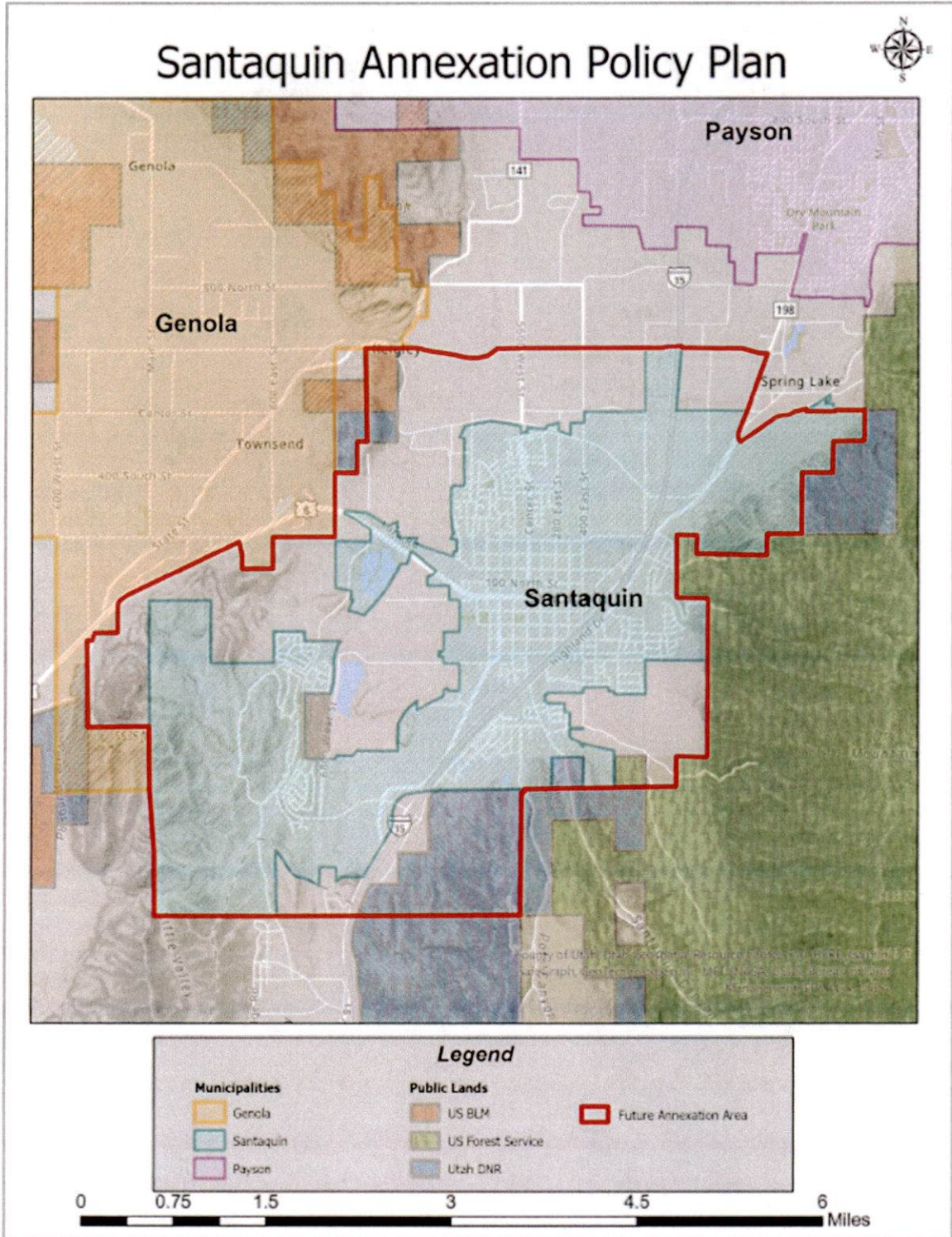
planned and organized growth, a family oriented, clean, fun and friendly community that is a great place to live, a crossroads for southern Utah County characterized by its agricultural heritage, good parks and recreation facilities and a strong business tax base. The acceptance of future annexation petitions and development proposals should be based on adherence to this plan and the General Plan of the City.





# ANNEXATION POLICY PLAN

## Santaquin City Annexation Policy Plan – Exhibit A





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## ANNEXATION POLICY PLAN

### Inter-Local Agreement with Payson City – Exhibit B

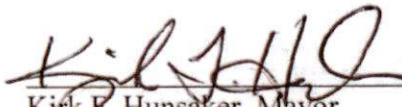


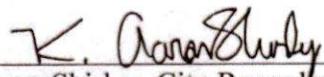
**RESOLUTION 04-07-2021**  
**A RESOLUTION APPROVING AN ADDENDUM TO**  
**INTERLOCAL COOPERATION AGREEMENT ESTABLISHING**  
**THE PAYSON/SANTAQUIN ANNEXATION BOUNDARY**

**SECTION 1:** The attached document represents an Addendum to the Interlocal Cooperation Agreement Establishing the Payson/Santaquin Annexation Boundary

**SECTION 2:** This Resolution shall become effective upon passage.

Approved on this the 6<sup>th</sup> day of April 2021.

  
Kirk F. Hunsaker, Mayor

  
K. Aaron Shirley, City Recorder





**ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT ESTABLISHING  
THE PAYSON/SANTAQUIN ANNEXATION BOUNDARY**

WHEREAS, Payson and Santaquin ("Cities") entered into an Interlocal Cooperation Agreement ("Agreement") on August 25, 2011; and

WHEREAS, the Cities created the Agreement to reach the goal of deciding upon a common boundary line along Payson's southern border and Santaquin's northern border. The agreement also contemplated an Interstate 15 interchange in the area and the Cities sharing sales tax revenue generated within 2000 feet of the interchange for 50 years; and

WHEREAS, the Agreement term was for 10 years and expires on August 25, 2021; and

WHEREAS, the Cities agree to abide by the Agreement through the expiration on August 25, 2021; and

WHEREAS, pursuant to Section 10-2-401.5(6) Utah Code Annotated, two or more cities can cooperate and negotiate in establishing each municipality's expansion area under an annexation policy plan.

NOW THEREFORE the parties hereto contract, covenant, and agree as follows:

1. The Cities agree to immediately request their respective Planning Commissions commence the process to amend their Annexation Policy Plans to establish a common annexation policy plan boundary line at 12400 South west of I-15 and east of I-15 to SR198 as described in Exhibit A, and will in good faith work together to get the Interstate 15 interchange at 12400 South; and
2. The Cities intent is to amend and retract their respective Annexation Policy Plans to reflect 12400 South as the expansion area boundary line between the Cities pursuant to Section 10-2-401.5 Utah Code Annotated.
3. The Cities agree to consent in writing to annexation of parcels within the overlapped area and consistent with the boundaries established in this Addendum until August 25, 2021.
4. The Cities will continue to agree to equally share the sales tax revenue generated within 2000 feet of the new Interstate 15 interchange through August 25, 2061 irrespective of location.
5. Santaquin will take the necessary steps to disconnect the portion of its city, as described in Exhibit B, in order to keep the Spring Lake Community together and to be included in Payson's Annexation Policy Plan.
6. The cities will continue to work together on land use and utility planning. This will be important for the future interchange area.
7. The provisions of this Addendum will survive the expiration of the Agreement.

Dated this 7th day of April, 2021.

PAYSON CITY

William R. Wright  
William R. Wright, Mayor

ATTEST:

Kim E. Holindrake  
Kim E. Holindrake, City Recorder



APPROVED AS TO FORM

Jason Sant  
Jason Sant, Payson City Attorney

SANTAQUIN CITY

Kirk F. Hunsaker  
Kirk F. Hunsaker, Mayor

ATTEST:

Aaron Shirley  
Aaron Shirley, City Recorder

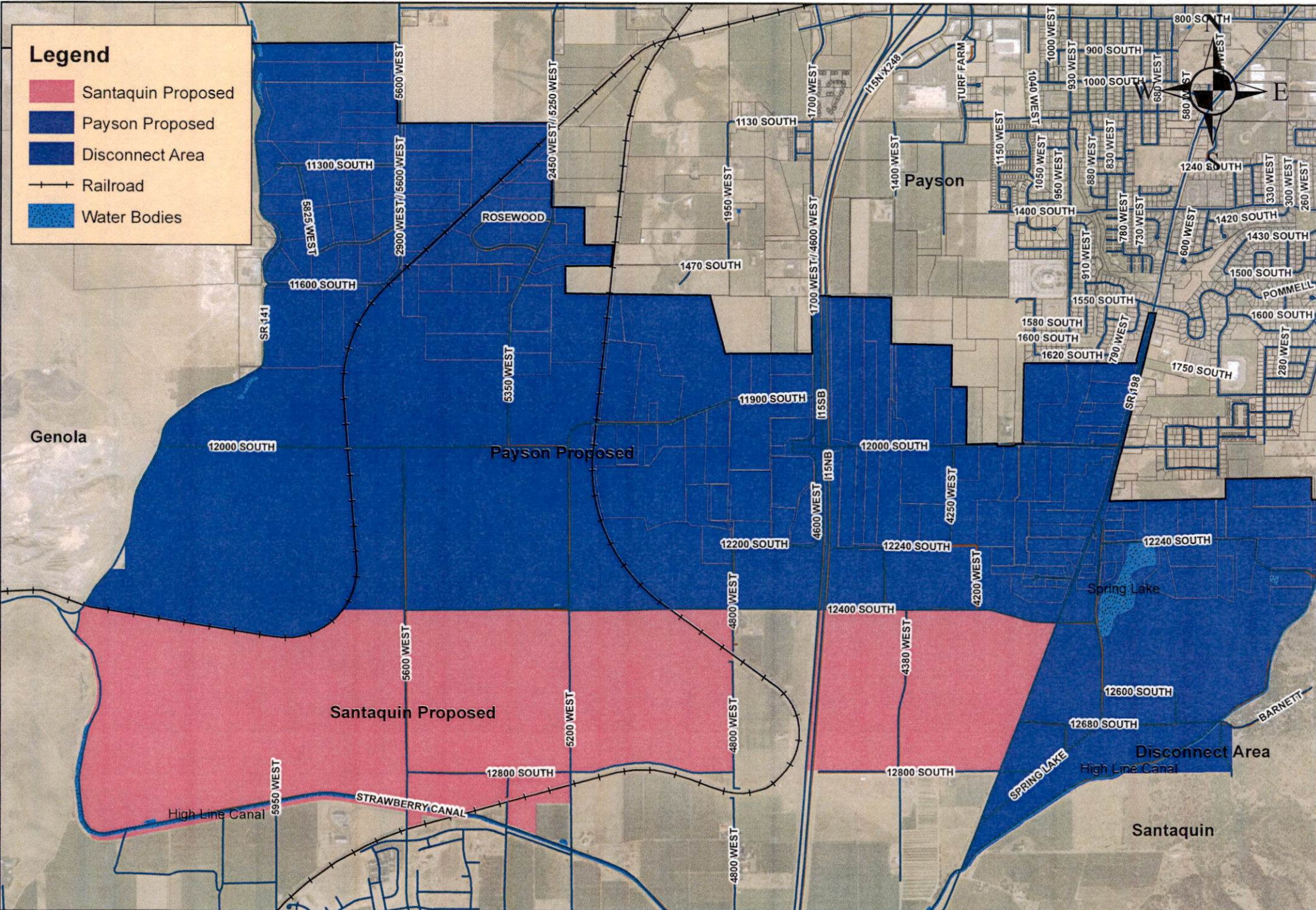


APPROVED AS TO FORM

Brett Rich  
Brett Rich, Santaquin City Attorney

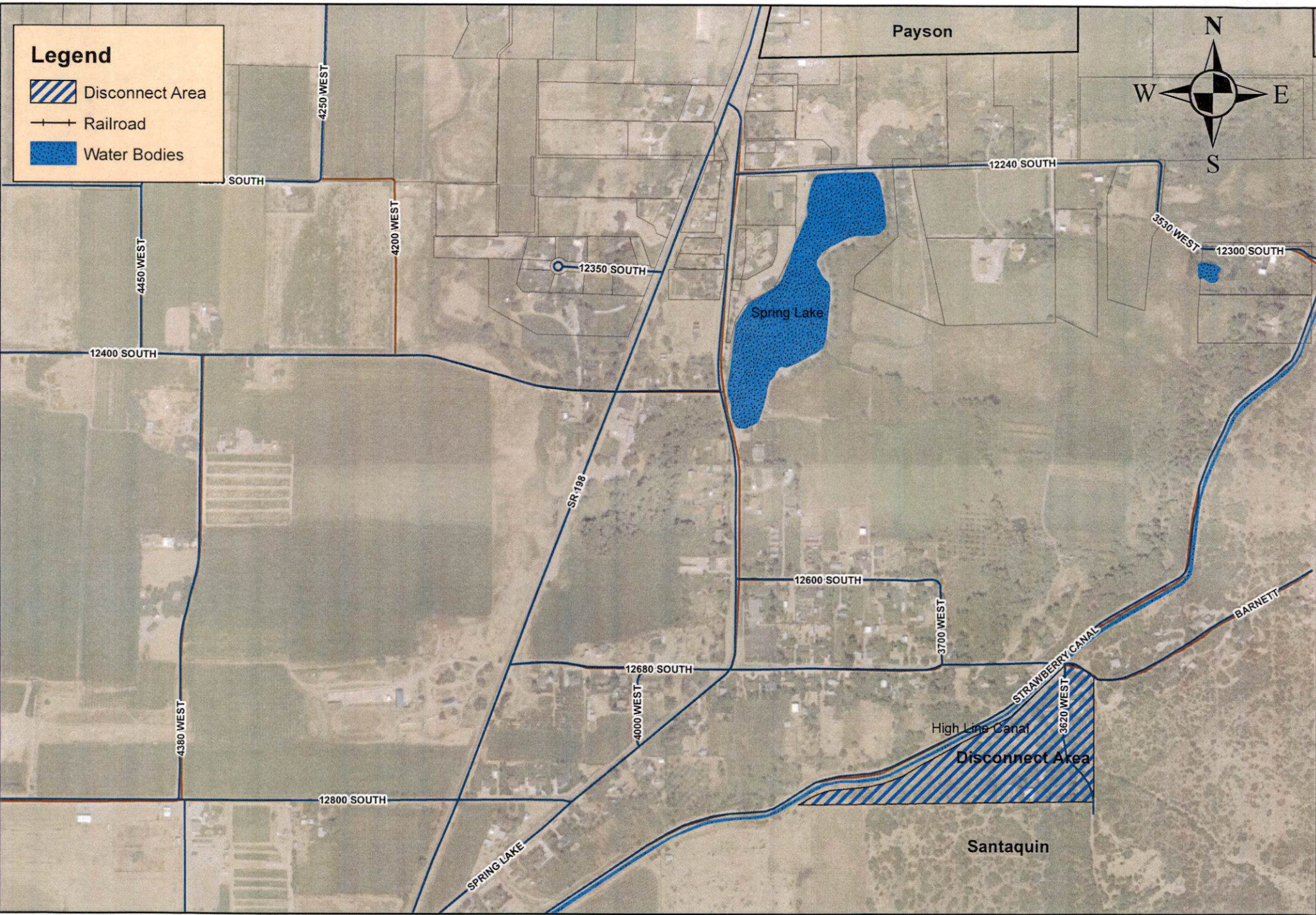


# EXHIBIT A





# EXHIBIT B



**Legend**

- Disconnect Area
- Railroad
- Water Bodies

