

23-0018 Bridge Improvement (B485)

ADDENDUM NO. 1

**Sedgwick County Project: 801-DD-5280; Bridge on 151st Street West over the
Ninnescah River (B485)**

The items contained herein now become a part of the referenced plans and specifications. Please read the following items and acknowledge receipt of this addendum on the Proposal Page Number P-1. NOTE: THIS ADDENDUM MUST BE ACKNOWLEDGED TO CONSTITUTE A VALID BID.

SPECS:

- Add sheets KDA-1 through KDA-5. These sheets include the permit from the Kansas Department of Agriculture, Division of Water Resources.
- Add Sheets NWP-1 through NWP-5. These sheets include the permit from the U.S. Army Corps of Engineers.

By: 

Lynn T. Packer, P.E.

Director of Public Works/County Engineer

Date: March 22, 2023

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

October 25, 2022

SEDGWICK COUNTY
DANIEL SCHRANT
1144 S SENECA
WICHITA KS 67213

Re: Proj. No.: B485
Bridge Replacement
Ninnescah River
Sedgwick County
WSN: SSG-0910, Notice No.: 2022361

Dear Mr. Schrant:

Consideration has been given to your application for a permit and approval of plans relating to the construction of a 6@110-ft. prestressed concrete beam spans bridge in and across the Ninnescah River at a location in the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 27, in the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 26, in the NE 1/4 of the NE 1/4 of the NE 1/4 of Section 34, and in the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 35, all in Township 29 South, Range 2 West, Sedgwick County, Kansas.

In accordance with the provisions of K.S.A. 82a-301 to 305a, the Chief Engineer has approved the plans and issued the enclosed permit, authorizing construction of the proposed project. Please note the conditions on the reverse side of the permit. Condition No. 9 requires the permittee to notify this office within 30 days after the project is completed. A Notice and Proof of Completion form is enclosed for this purpose. Special conditions have been added to limit the removal of timber and vegetation, to require the use of clean material for riprap, to prohibit the introduction of toxic or deleterious materials into the watercourse, to allow the construction of a temporary crossing for construction purposes, and to acquire all right-of-way or easements prior to construction.

The one set of plans submitted to this office has been endorsed with the Chief Engineer's approval and will be retained in our files. Should you desire any copies of the plans with the Chief Engineer's approval shown thereon, please submit the required number.

Comments about this proposed project were received from several agencies during the environmental review process. Copies of the letters with recommendations from the environmental review agencies are enclosed for your information.

Sedgwick County
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The work has been authorized to be completed on or before July 1, 2026. Approval for construction of this project will expire on that date unless the time is subsequently specifically extended by the Chief Engineer. Any desired extension of time should be requested in writing approximately 30 days prior to the expiration date.

Sincerely,



Terry Medley, P.E.
Water Structures Program Manager
(785) 564-6657

Enclosure

pc: Tom Kimes, P.E.- Professional Eng Consultants
Kelly Dixon- Sedgwick County FPA

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

PERMIT NO. SSG-0910

K.S.A. 82a-301 et seq.

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, by virtue of the powers and duties imposed by K.S.A. 82a-301 to 305a, hereby issues this permit to Sedgwick County, giving his consent to the construction of a 6@110-ft. prestressed concrete beam spans bridge, identified under project B485 at Sta. 50+00.00, in and across the Ninnescah River at a location in the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 27, in the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 26, in the NE 1/4 of the NE 1/4 of the NE 1/4 of Section 34, and in the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 35, all in Township 29 South, Range 2 West, Sedgwick County, Kansas.

All work authorized by this permit shall be performed in accordance with the maps, plans, profiles and specifications filed with the application and approved by the Chief Engineer, and in accordance with plans for any changes or modifications subsequently approved by the Chief Engineer subject to the provisions of the aforementioned statutes, their regulations and the attached permit conditions.

Witness my hand this 25TH day of October, 2022.



Terry Medley

Terry Medley, P.E. for

Earl D. Lewis Jr., P.E.

Chief Engineer

Division of Water Resources

Kansas Department of Agriculture

State of Kansas)
)SS
County of Riley)

The foregoing instrument was acknowledged before me this 25th day of October, 2022, by Terry Medley, authorized agent of Earl D. Lewis Jr., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Deidre Romine
Notary Public

RECORD THIS PERMIT WITH THE REGISTER OF DEEDS
OF THE COUNTY WHEREIN THE WORK IS LOCATED

PERMIT CONDITIONS

1. This permit grants no water rights nor other property rights, nor does it authorize any injury to private property, invasion of private rights nor impairment of senior water rights, nor does it exempt you from obtaining consent from appropriate federal, state or local government.
2. The work shall at all times be subject to supervision and inspection by representatives of the Division of Water Resources.
3. No changes in the work, maps, plans, profiles and specifications as approved shall be made except with the written consent of the Chief Engineer.
4. Any work authorized by this permit will be maintained in a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
5. The clearing of trees, brush, drift and other debris in order to maintain the work substantially in accordance with the approved plans is hereby authorized, except that the removal of plantings made specifically for habitat or environmental mitigation is not authorized by this permit.
6. Any excess material deposited in the stream channel incident to the construction and maintenance of the project authorized by this permit shall be removed and the channel restored to a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
7. All areas disturbed by construction and all other exposed soil areas shall be seeded and maintained with a mixture of grass or other vegetation appropriate to the soils, climate and project in order to minimize erosion and protect the project integrity.
8. If the work is not completed on or before the 1st day of July, 2026, this permit, if not specifically extended, shall cease and be null and void. If, upon the expiration or revocation of this permit, the work has not been completed, the permittee shall, at his own expense and to such extent and in such time and manner as the Chief Engineer may require, remove all or any portion of the uncompleted work and restore the watercourse to a satisfactory condition. No claim shall be made against the State of Kansas on account of any such removal or alteration.
9. Within thirty (30) days after the completion of the work authorized by this permit, the permittee shall file with the Division a statement that the work has been completed in accordance with this permit and the approved maps, plans, profiles and specifications.
10. The Chief Engineer reserves the right to require such changes in the maps, plans, profiles, specifications and conditions as may be considered necessary. The Chief Engineer further reserves the right to modify, suspend or revoke this permit at any time should the permittee fail to comply with any of the conditions of this permit or regulations of the Division without sufficient cause or should such action be deemed necessary in the interest of public safety and welfare.
11. That the clearing of timber and vegetation is restricted to the absolute minimum required to accomplish the work and not interfere with the beneficial use of project.
12. Only graded rock, quarry-run rock and/or clean concrete rubble shall be used in the work as approved. If concrete rubble is used, all large slabs should be broken up and all exposed reinforcement rods, trash, and other extraneous materials shall be removed prior to placement. No asphalt material shall be placed as fill material.
13. No deleterious or toxic materials shall be introduced into the watercourse or reservoir by runoff, leaching or disposal during or in connection with the work authorized by this permit.
14. The construction of temporary crossings and/or causeways within the project limits of the approved plans is hereby authorized; provided that the temporary obstruction is removed in its entirety and the channel restored to the cross-section proposed in the approved plans. Sufficient hydraulic capacity shall be provided to bypass normal flows to satisfy water right and other public interest needs.
15. No work shall begin until all proposed right-of-way or easements have been acquired.

STATE OF KANSAS
DIVISION OF WATER RESOURCES
DEPARTMENT OF AGRICULTURE

In the matter of: Water Structure No. SSG-0910
 Sedgwick County
 Bridge Replacement
 Ninnescah River
 Sedgwick County
 Proj. No.: B485

NOTICE AND PROOF OF COMPLETION
K.S.A. 82a-301 *et seq.*

To: CHIEF ENGINEER
 DIVISION OF WATER RESOURCES
 KANSAS DEPARTMENT OF AGRICULTURE
 1320 RESEARCH PARK DR
 MANHATTAN KS 66502

I, the undersigned, being the holder of a permit to construct pursuant to K.S.A. 82a-301 *et seq.* for bridge replacement on the Ninnescah River at a location in the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 27, in the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 26, in the NE 1/4 of the NE 1/4 of the NE 1/4 of Section 34, and in the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 35, all in Township 29 South, Range 2 West, Sedgwick County, Kansas, hereby certify that the works, identified above, have been completed as of _____. I further certify that these works have been completed in accordance with such permit, the approved plans, approved specifications, and the terms, conditions and limitations incorporated therein.

I understand that an end-of-construction inspection will be conducted by your office at some future date.

Dated this _____ day of _____, 20____.

Signature: _____

Name: _____
(Please Print)

Address: _____

Telephone No: _____



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT
KANSAS STATE REGULATORY OFFICE
2710 NE SHADY CREEK ACCESS ROAD
EL DORADO, KANSAS 67042

February 22, 2023

Kansas State Regulatory Office
NWK-2022-00953
Sedgwick, KS, NWP 14

Mr. Thomas Kimes
Professional Engineering Consultants
1100 Main Street, Suite 1800
Kansas City, MO 64105

Dear Mr. Kimes:

This letter pertains to an application submitted on behalf of Sedgwick County for a Department of the Army permit. It was received on December 27, 2022. The proposed work concerns the replacement of an existing 660' Steel Beam span bridge structure and replacing it with a 6 - 110' Prestressed Concrete Beam Span bridge structure with a 36' roadway. The project is located in the Ninnescah River in the SW ¼ of the SW ¼ of Section 26, Township 29 South, Range 02 West, Sedgwick County, Kansas (Lat: 37.49029°, Lon: -97.51490°).

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 USC 1344). The implementing regulation for this Act is found at 33 CFR 320-332.

We have reviewed the information furnished and have determined that your project is authorized by nationwide permit (NWP) **14 Linear Transportation Projects**, provided you ensure that the conditions listed in the enclosed copy of excerpts from the January 13, 2021, U.S. Army Corps of Engineers (Corps) (86 FR 2744 and the correction at 86 FR 27274), Reissuance and Modification of Nationwide Permits, are met. You must also comply with the Kansas City District Regional NWP Conditions posted at: <http://www.nwk.usace.army.mil/Missions/RegulatoryBranch/NationWidePermits.aspx>.

The Kansas Department of Health and Environment has certified that this NWP will not violate existing state water quality standards provided you comply with the conditions in the enclosed Kansas Clean Water Act Section 401 Water Quality Certification (WQC). All conditions included in the water quality certification are conditions of the NWP authorization. Please carefully review all conditions associated with this NWP. Per 40 CFR Part 121.11(c) the Corps is responsible for enforcing WQC conditions that are incorporated into this permit verification. If you have any questions concerning WQC standards or compliance issues with the associated certification conditions, please contact the project manager at the phone number and/or email provided below.

General condition 30 requires you to sign and submit the enclosed "Compliance Certification" within 30 days of completing the authorized activity or the completion of the implementation of any required compensatory mitigation.

This NWP verification is valid until March 14, 2026. Should your project plans change or if your activity is not complete within the specified verification term, you must contact this office for another permit determination. Although the Corps has verified your project would meet the terms and conditions of a nationwide permit, other Federal, state and/or local permits may be required. You should verify this yourself.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to Complete our Customer Service Survey form on our website at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

Mr. Scott Dodson, Regulatory Specialist, reviewed the information furnished and made this determination. If you have any questions concerning this matter, please feel free to contact Mr. Dodson at 816-389-3743 or by email at scott.t.dodson@usace.army.mil. Please reference Permit No. NWK-2022-00953 in all comments and/or inquiries relating to this project. This letter is only being provided to you electronically at: thomas.kimes@pec1.com.

Enclosures

cc (electronically w/o enclosures):

Environmental Protection Agency,
Watershed and Grants Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife and Parks
Kansas Department of Health and Environment
Kansas Department of Agriculture

COMPLIANCE CERTIFICATION

General condition 30 of this Nationwide Permit requires that you submit a signed certification regarding the completed work and any required mitigation. This certification page satisfies this condition if it is provided to the Kansas City District at the address shown at the bottom of this page within 30 days of completing the authorized activity or the completion of the implementation of any required compensatory mitigation.

APPLICATION NUMBER: NWK-2022-00953

APPLICANT: Sedgwick County
1144 South Seneca
Wichita, KS 67213

PROJECT LOCATION: The project is located in the Ninnescah River in the SW ¼ of the SW ¼ of Section 26, Township 29 South, Range 02 West, Sedgwick County, Kansas (Lat: 37.49029°, Lon: -97.51490°).

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

(PERMITTEE)

(DATE)

Return this certification to:

Dodson
U.S. Army Corps of Engineers
Kansas State Regulatory Office
2710 NE Shady Creek Access Road
El Dorado, KS 67042
Email: Regulatory.KansasState@usace.army.mil



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NWP 14 Linear Transportation Projects

14. Linear Transportation Projects. Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

February 2022



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Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).