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Mowing concerns over US-24 Bridge in Clay Center

Recently concerns have been expressed to KDOT and the City of Clay Center over the growth of grass on the US-24 viaduct area and the lack of mowing of the area.

KDOT has intentionally refrained from mowing due to the need to establish a stand of grasses able to meet KDHE guidelines. The viaduct project disturbed enough soil to require KDOT to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the Kansas Department of Health and Environment (KDHE). That permit is part of the Clean Waters Act and may only be terminated when the vegetation on the disturbed soil has a density of at least 70 percent of the density of vegetation of undisturbed areas at or near the site. If the permit is not followed, KDOT would be required to impose fines upon themselves. There are 14 categories of fines that vary from \$750.00 per day to \$3,500.00 per violation per day and the categories are independent of each other.

KDOT is trying to get the grasses appropriately established and by doing so avoid future fines. KDOT has over seeded the area using a drill and hand seeded the area several times. These efforts have been slow to establish grass and some of the grass has died during drier periods. It was decided to use natural grass seed of the plants currently growing in the viaduct area as part of the effort to obtain the required vegetative cover. It is anticipated that the grass seed should be mature by early July and regular mowing can again resume. We hope that the recent rains will help establish the grass to meet the 70 percent requirement so the permit with KDHE can be terminated.

When the permit is terminated, the city of Clay Center will be notified that they can proceed with their plans to beautify the area. The city has been gracious in not proceeding with their plans proceed with their beatification project until KDOT has met all expectations of the KDHE permit.

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