



**TRANSPORTATION CABINET**

Frankfort, Kentucky 40622  
www.transportation.ky.gov/

**Steven L. Beshear**  
Governor

**Michael W. Hancock, P.E.**  
Secretary

May 3, 2012

CALL NO. 303  
CONTRACT ID NO. 121015  
ADDENDUM # 1

Subject: Clark County, FD04 SPP 025 0089 005-007  
Letting May 18, 2012

(1) Revised - Special Note - Pages 12-14 of 98

Proposal revisions are available at <http://transportation.ky.gov/Construction-Procurement/>.

If you have any questions, please contact us at 502-564-3500.

Sincerely,

A handwritten signature in blue ink that reads "Ryan Griffith".

Ryan Griffith  
Director  
Division of Construction Procurement

RG:ks  
Enclosures



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## SPECIAL NOTE TO CONTRACTOR FOR GRAY BATS

In order to minimize or nullify the above-mentioned potential impacts to *M. grisescens* and *M. sodalis*, KYTC agrees to adhere to the following measures:

- Construction activities will occur only during daylight hours during times when the bat may be utilizing the area (31 March through 15 October).
- To reduce erosion and sedimentation effects of highway construction projects, and thus indirect effects from the tributary to Silver Creek, KYTC is bound by the tenets of KPDES permit #KYR10 for all construction projects involving soil disturbance. For the subject project, a site-specific Erosion Control Plan (ECP) has been developed in order to outline potential water quality issues by determining individual Disturbed Drainage Areas (DDA) where construction site effluent will be discharged off-site or into waters of the Commonwealth (Appendix E). Within the ECP, sediment control structures have been marked at each DDA discharge point. These structures are suggestion based upon good engineering practices developed by the Design Engineer.

According to Section 213.03.01 of the KYTC Standard Specifications, a Best Management Plan (BMP; in accordance with KPDES permit #KYR10) will be developed jointly by the Resident Engineer and contractor prior to the Preconstruction Conference. The BMP will be developed utilizing information contained within the ECP. Through progression of the project, the BMP will be updated in order to address the ever-changing on-site conditions to assure the overall goal of erosion control and sediment containment. The BMP shall be modified when there is a change in design, construction, operation or maintenance of the site which has a significant affect on the potential for the discharge of pollutants to waters of the Commonwealth. The BMP shall be amended if any aspect (during inspections conducted by the Resident Engineer and contractor simultaneously every 7 days or after rain events greater than 0.5 inches) is determined to be ineffective in controlling the discharge of pollutants to the waters of the Commonwealth. Any changes in the BMP shall be implemented within 7 days of the monitoring or action event. Appropriate documentation of changes in the BMP will be maintained throughout the duration of the project. Further appropriate documentation (pictures, monitoring logs, etc.) of inspections will be maintained on the construction site.

- During “grade and drain” operations (occurring after initial clearing and grubbing of the corridor), mulch will be spread across all areas where no work will be conducted for a 21 consecutive day period as specified in the tenets of KPDES permit # KYR10.
- Prior to disturbance of the forested riparian corridor, the resident engineer and contractor will meet at the project site to determine which trees will be removed in order to minimize riparian disturbance. All disturbed areas will either be re-seeded with a standard native riparian grass seed mix according to the grade of the land, or be replaced utilizing rip rap and geotextile fabric. A modified Type III standard grass seed mix (40% Kentucky 31 Tall Fescue [*Festuca arundinacea*], 35% Perennial rye grass [*Lolium perenne*], 25% Little Bluestem [*Schizachyrium scoparium*]; all percentages based on pure live seed, will be seeded in the riparian area at a rate of 2 pounds per 1000 square feet square to facilitate bank stabilization and erosion prevention. This will allow for proper regeneration of the riparian corridor with native species (as per Exotic Organisms Executive Order 11987), allowing for thermoregulation of the water within the streams, proper physical stabilization of the impacted streams, and aid in providing nutrients via plant matter for macroinvertebrate communities located within these streams.

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- Once construction activities have ceased, and where applicable and allowed for by safety concerns, any disturbed wooded riparian areas of perennial streams attributed to the construction of the subject project will be replanted with native trees similar to those that were removed, thus retaining its use as a bat foraging corridor. Non-wooded areas will be reseeded with a standard native riparian grass seed mix. This will allow for proper regeneration of the riparian corridor with native species (as per Exotic Organisms Executive Order 11987), allowing for thermoregulation of the water within the streams, proper physical stabilization of the impacted streams, and aid in providing nutrients via plant matter for macroinvertebrate communities located within these streams.
- The above mentioned plantings will also provide a buffering effect for storm runoff from the proposed bridge and approaches. Sequestration or conversion of chemical species found in highway runoff through plant uptake or microbial activities in the soil will aid in reducing the amount of toxins entering streams in the project area. Despite the highway runoff from the existing KY-89, the listed bats continue to utilize Upper Howard Creek and its tributaries, and Kings Fork and its tributary corridor for foraging and travel. Further, KYTC feels that highway runoff associated with the expanded travel corridor over Upper Howard Creek and its tributaries, and Kings Fork and its tributary will be diluted to a negligible concentration by the normal discharge of this perennial blue line stream and not likely affect the gray bat or Indiana bat.
- Rock and debris entering Upper Howard Creek and its tributaries, and Kings Fork and its tributary during demolition and construction activities will be kept at a minimum. Silt fences, or other approved sediment controls will be established and maintained at the stream's edge to help prevent sediment and debris from entering the creek. Construction equipment will be kept out of the stream channel of the tributary to Upper Howard Creek and its tributaries, and Kings Fork and its tributary.
- Construction will be conducted during traditionally low-flow periods for Upper Howard Creek and its tributaries, and Kings Fork and its tributary to minimize erosion and sedimentation effects.
- Temporary stream crossings and/or work pads are not anticipated at this time.
- Equipment cleaning/staging areas will be located such that runoff from these areas will not directly enter the stream. Equipment cleaning/staging areas will be located such that effluent will be filtered through vegetated areas and proper sediment control structures located between the staging area and receiving water bodies; thereby minimizing the potential for stream impacts such as sedimentation and pollution.
- KYTC will remove potential summer roosting trees for Indiana bat between 15 October and 31 March. The trees to be removed are not within a known swarming or maternity polygon.
- Pouring of concrete will be done such that spills into the stream do not occur. In the unforeseen event that spillage does occur, the Frankfort USFWS office will be notified and the resident engineer shall halt the activity immediately and not resume until appropriate remedial actions have been implemented.
- As big brown bats have been observed utilizing the underside of the KY-89 bridge over Upper Howard Creek as a temporary day roost, the contractor will visit the bridge site each morning prior to deconstruction activities to visually determine if any bats are currently roosting under the bridge. If no bats are readily evident, then demolition of the superstructure should proceed and be completed as soon as possible. If a bat is discovered roosting beneath the structure, no demolition activity shall proceed without clearance from the KYTC biologist. During demolition, monitoring of the bridge should occur and document

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any bats flushing from under the bridge and/or found roosting in the bridge. If bats are seen flushing from the bridge, demolition will be suspended and the structure be visually checked to determine if additional bats are roosting on the bridge. If none are seen, then demolition should proceed. If bats are seen roosting on the bridge (at any time), demolition will be suspended, and if possible, pictures of the bats be taken along with documentation of where and how many. If bats are seen on the bridge, prior to resuming demolition, a qualified biologist should determine if the individual(s) are federally listed or not. Contact the KYTC biologist (Andrew Logsdon, 502-564-7250) or the District 7 Environmental Coordinator (Becky Barrick, 859-246-2355). If it is determined that the species is not federally-listed, then demolition may proceed. If it is determined that the species is federally listed, demolition should be suspended and the Kentucky Field Office of USFWS contacted the next day in order to develop additional measures. All findings and decisions should be documented. In the event a dead bat is found, the individual should be bagged, placed on ice, and the USFWS office should be notified the next day.