

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 40.—Design of Earth Dams

5-40-71. Inspection during dam construction, repair, and modification.

(a) Except as specified in subsection (d), each high-impact dam shall be inspected by an engineer competent in the design of dams, or that engineer's authorized representative, at all times during any construction activity.

(b) Each low-impact dam shall be inspected by an engineer qualified in the design of dams, or that engineer's authorized representative, whenever any of the following conditions is met:

- (1) Backfill is being placed in the cutoff trench of a dam.
- (2) Conduits and their appurtenances are being placed.
- (3) Backfill is being placed around a conduit.
- (4) Drain material and outlets are being installed.
- (5) Concrete forms and reinforcing steel are being placed.
- (6) Concrete is being placed.

(7) Any other stage of construction required by the permit, approved plans, or approved specifications to be inspected occurs.

(c) Before the start of construction, the permit holder shall provide the chief engineer in writing with the name, address, and telephone number of the engineer responsible for the inspection.

(d) The inspecting engineer, or the engineer's authorized representative, shall not be required to be present during any of the following construction activities for a high-impact dam:

- (1) The clearing and grubbing of the construction site;
- (2) the removal of structures from the reservoir area other than the removal of a dam;
- (3) the installation of pollution-control measures, unless required by other authorities;

- (4) seeding;
- (5) mulching; and
- (6) the construction of a fence.

(e) If the inspecting engineer, or the engineer's authorized representative, observes construction activity that is not in compliance with the approved permit, plans, or specifications and the contractor fails to correct the item or items that are not in compliance with the approved permit, plans, or specifications after being notified by the inspector, the inspector shall notify the chief engineer of the noncompliant activity.

(Authorized by K.S.A. 2006 Supp. 82a-303a; implementing K.S.A. 2006 Supp. 82a-301a and 82a-303a; effective May 18, 2007.)

***** Authenticated Kansas Administrative Regulation *****