

Information for File #2013-03170-ADJ

Applicant	Wisconsin & Southern Railroad
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Phone	(651) 290-5728
Primary County	Sheboygan
Section, Township, Range	21, 22, 25, 26, and 27 of T15N, R21E 29, 30, 32, 33, 34, 35, and 36 of T15N, R22E 29 and 30 of T15N, R23E
Information Complete On	September 25, 2014
Posting Expires On	October 29, 2014
Authorization Type	Letter of Permission

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above. An approved jurisdictional determination will be made prior to reaching a permit decision, and will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

Project Information

Wisconsin & Southern Railroad is proposing to rehabilitate approximately 9 miles of track from Plymouth to Sheboygan Falls, Wisconsin. The project, as originally designed, was proposed to impact approximately 1.84 acres of wetlands adjacent to the Sheboygan and Mullet Rivers. These impacts were authorized by the Corps in March 2014 by category 2(a)(3) of Department of the Army General Permit GP-003-WI. Since that time, the project has been redesigned to raise the track, which would increase the bottom width of the fill proposed. This redesign would result in an additional 1.73

acres of impacts to waters of the U.S. The sum impacts to waters of the U.S. proposed as part of the rehabilitation is currently proposed to be 3.57 acres, which represents just over 10% of the project area. Because of the increase in wetland acres impacted, the project no longer qualifies for GP-003-WI, and must be evaluated as a Letter of Permission.

The purpose of the proposed project is to rehabilitate the existing and former Chicago and North Western Railroad mainline from Plymouth to Sheboygan Falls. The original track was constructed in the 1860's and subsequently deactivated in 2004. The corridor is being reactivated to service existing and proposed industrial customers along the route from Plymouth to Kohler. Work includes installation of erosion control measures, grading of the track bed, grading of ditch-lines to re-establish positive drainage and installation of new ballast and track.

A preliminary jurisdictional determination was made in conjunction with the previously verified GP-003-WI. The redesign still impacts these waters of the U.S. but additionally impacts two additional wet meadow wetlands (complexes 43 and 60), one shallow marsh (complex 37), and one lowland hardwood tree/shrub wetland (complex 9). The approximate nine-mile rehabilitation would impact 16 of the 22 lowland hardwood tree/shrub wetlands within the corridor for a sum of 2.33 acres, and increase from the previously authorized impact of 1.04 acres. Approximately 0.40 acre of three shallow marsh wetlands are proposed to be impacted, representing an increase from the 0.26 previously authorized. Ten wet meadow wetlands are proposed to receive fill across a sum of 0.15 acre, an increase from the 0.06 acre originally authorized. Five sedge meadows would receive fill into approximately 0.24 acres, an increase from the 0.16 acre previously authorized. Finally, four shrub-carr wetlands are proposed to receive fill across 0.45 acres, an increase from the 0.32 acre previously authorized.

Over the years since this section of track was constructed a number of changes have taken place, not only on the corridor itself, but also in the railroad industry that necessitate significant improvements. Rail equipment and loads have grown larger and heavier in order to maximize transportation efficiency. Current transportation regulations require an increased railroad bed width in order to safely allow railroad personnel to walk alongside the equipment during railroad operations. These two factors require rail bed widening beyond what exists on the corridor today. Furthermore, over the years, wetland vegetation has crept into the ditch-lines along the tracks, and in some cases into the stone ballast under the rail itself. Complete avoidance of wetland impacts would not allow the sponsor to meet the project purpose.

In an effort to minimize impacts to all wetlands along the corridor, the design cross-section utilizes down-slopes of 2 foot horizontal to 1 foot vertical, the maximum allowed. This keeps the proposed toe of slope as near to the existing toe as possible. The original design was modified to limit hauling off-site excess soil materials. Because of width limitations it is logistically difficult to load and haul material from a point on the corridor out to public roadways. As such, the rail elevation is being raised above existing grade in many areas to allow the new ballast and track system to be constructed directly on the existing track bed. This affects the proposed toe of slope slightly, but improves drainage.

In addition to the logistical constraints associated with hauling excess soils off-site, the costs associated with off-site material deposition have been described as prohibitive.

The Wisconsin Department of Transportation will provide compensatory mitigation for the proposed project in accordance with their Technical Guidelines. Compensatory mitigation will be provided for by debiting a minimum of 3.6 credits from the Peshtigo Brook Phase 2 bank.

Drawings See attached.



Surface Water Data Viewer Map



Legend

-  Rivers and Streams
-  Open Water
-  2010 Air Photos (WROC)

1: 65,992

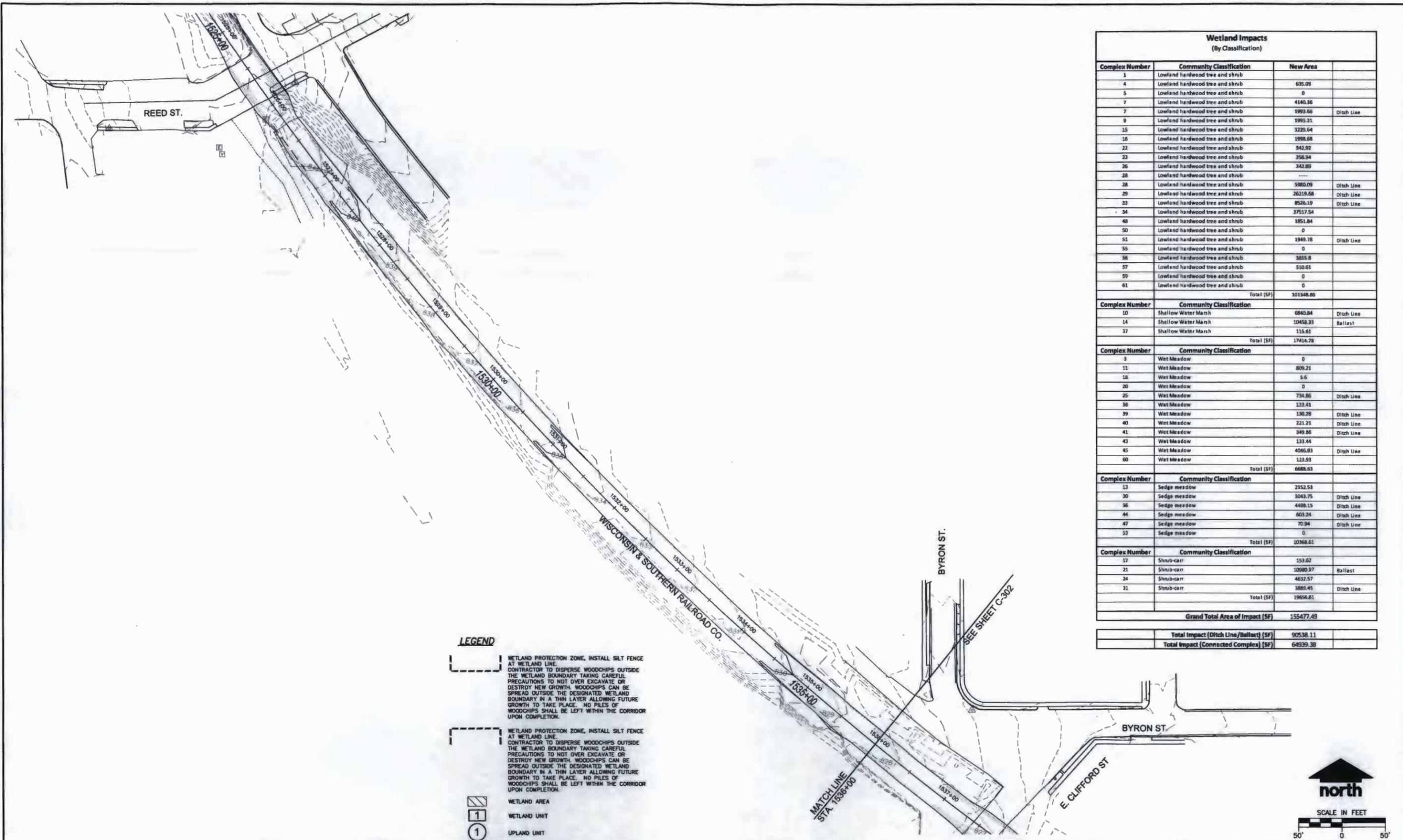


Notes

2.1 0 1.04 2.1 Miles

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Wetland Impacts (By Classification)		
Complex Number	Community Classification	New Area
1	Lowland hardwood tree and shrub	
4	Lowland hardwood tree and shrub	635.09
5	Lowland hardwood tree and shrub	0
7	Lowland hardwood tree and shrub	4140.36
7	Lowland hardwood tree and shrub	1993.66
9	Lowland hardwood tree and shrub	1995.21
15	Lowland hardwood tree and shrub	3229.64
16	Lowland hardwood tree and shrub	1998.68
22	Lowland hardwood tree and shrub	342.92
23	Lowland hardwood tree and shrub	358.94
26	Lowland hardwood tree and shrub	242.89
28	Lowland hardwood tree and shrub	---
28	Lowland hardwood tree and shrub	5980.09
29	Lowland hardwood tree and shrub	26219.68
33	Lowland hardwood tree and shrub	8526.19
34	Lowland hardwood tree and shrub	37517.54
48	Lowland hardwood tree and shrub	1851.84
50	Lowland hardwood tree and shrub	0
51	Lowland hardwood tree and shrub	1949.78
55	Lowland hardwood tree and shrub	0
56	Lowland hardwood tree and shrub	3855.8
57	Lowland hardwood tree and shrub	510.61
59	Lowland hardwood tree and shrub	0
61	Lowland hardwood tree and shrub	0
Total (SF)		101348.86
10	Shallow Water Marsh	6840.84
14	Shallow Water Marsh	10458.33
37	Shallow Water Marsh	115.61
Total (SF)		17414.78
3	Wet Meadow	0
11	Wet Meadow	809.21
18	Wet Meadow	5.6
20	Wet Meadow	0
25	Wet Meadow	734.86
38	Wet Meadow	133.41
39	Wet Meadow	130.28
40	Wet Meadow	221.21
41	Wet Meadow	349.86
43	Wet Meadow	133.44
45	Wet Meadow	4046.83
60	Wet Meadow	133.93
Total (SF)		6688.63
13	Sedge meadow	2152.53
30	Sedge meadow	3043.75
36	Sedge meadow	4488.15
44	Sedge meadow	603.24
47	Sedge meadow	70.94
53	Sedge meadow	0
Total (SF)		10368.61
17	Shrub-carr	153.62
21	Shrub-carr	10980.97
24	Shrub-carr	4632.57
31	Shrub-carr	3889.45
Total (SF)		19656.61
Grand Total Area of Impact (SF)		155477.49
Total Impact (Ditch Line/Ballast) (SF)		90538.11
Total Impact (Connected Complex) (SF)		64939.38

LEGEND

WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.

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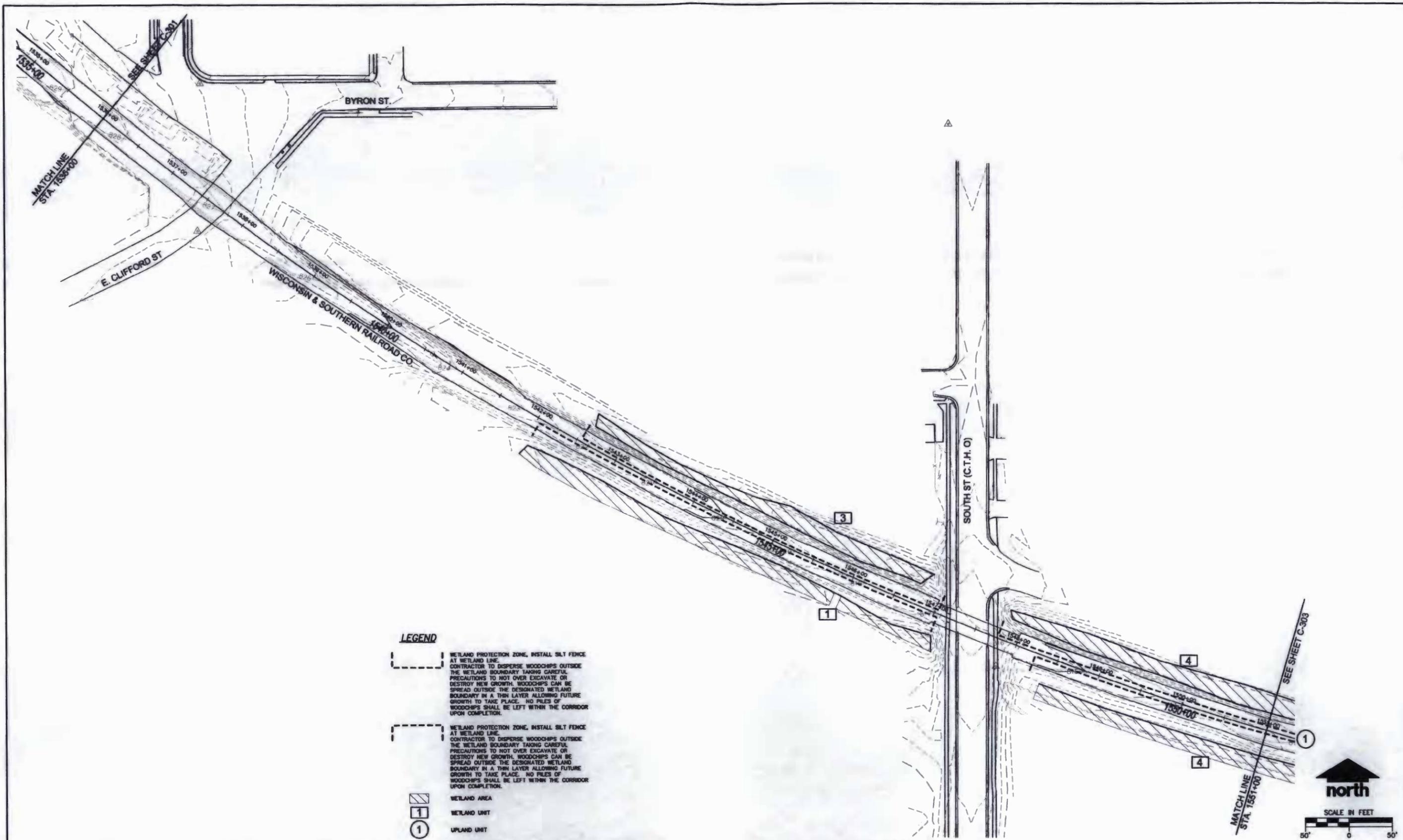
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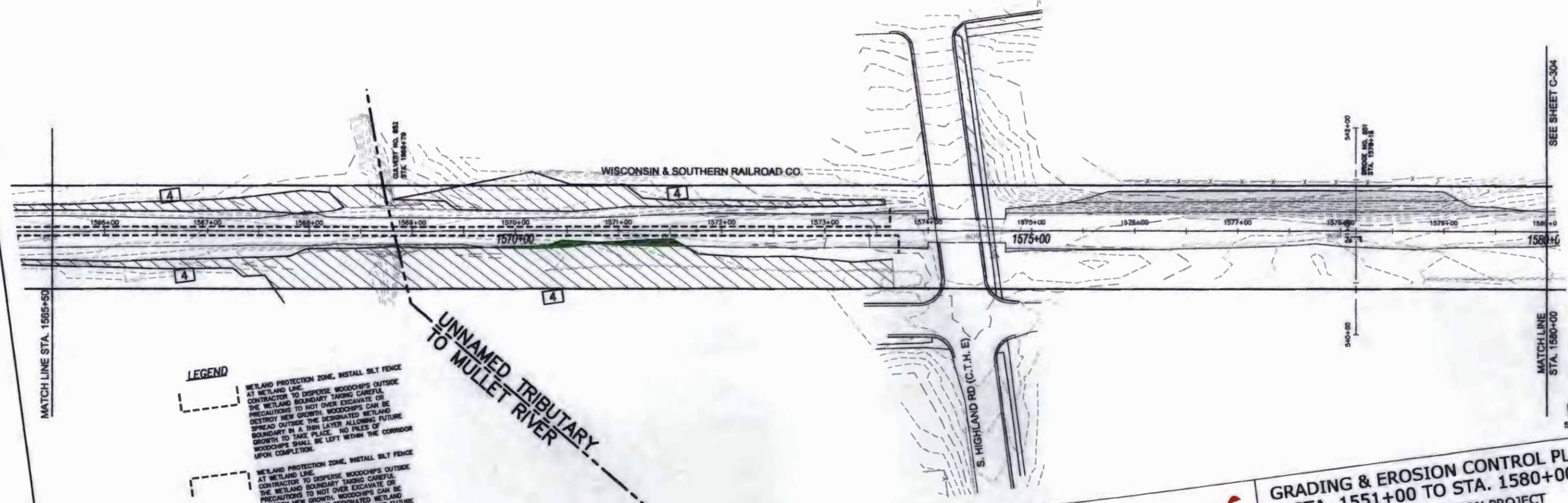
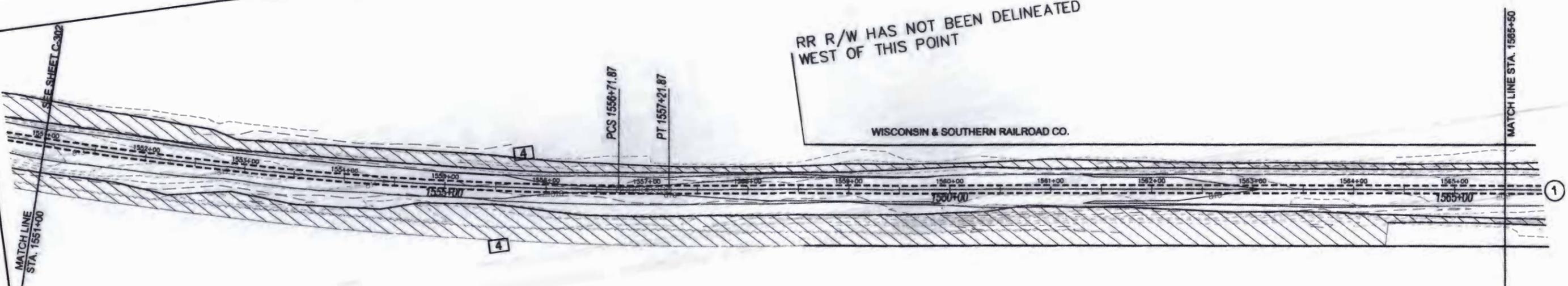
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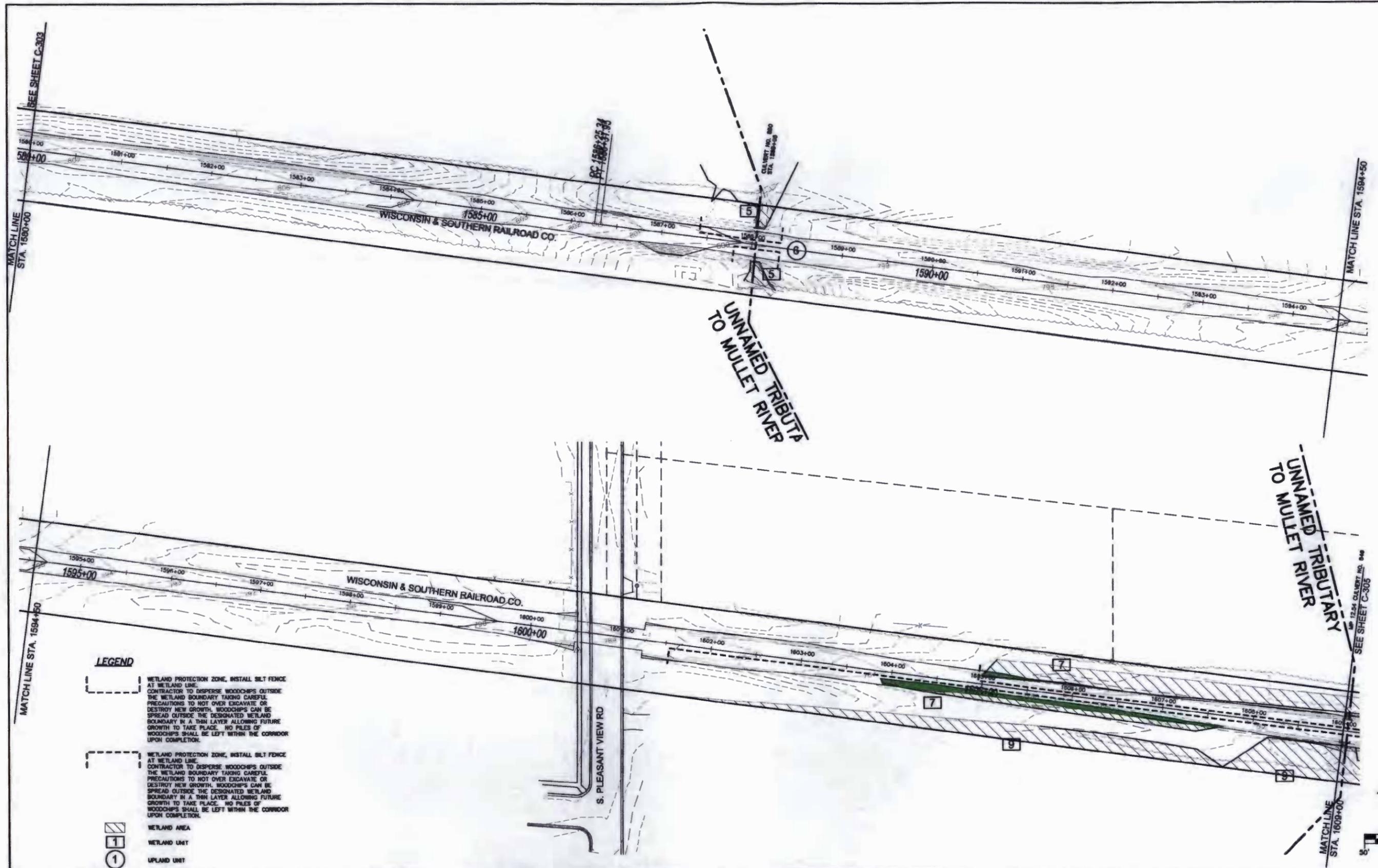
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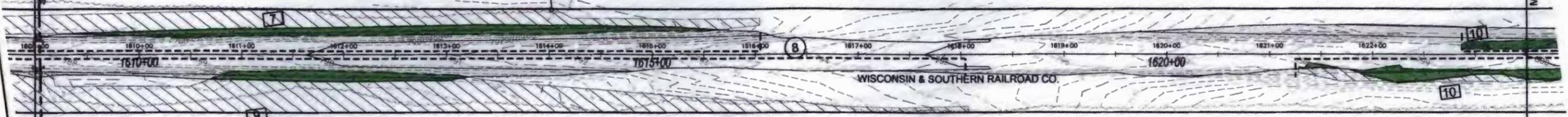
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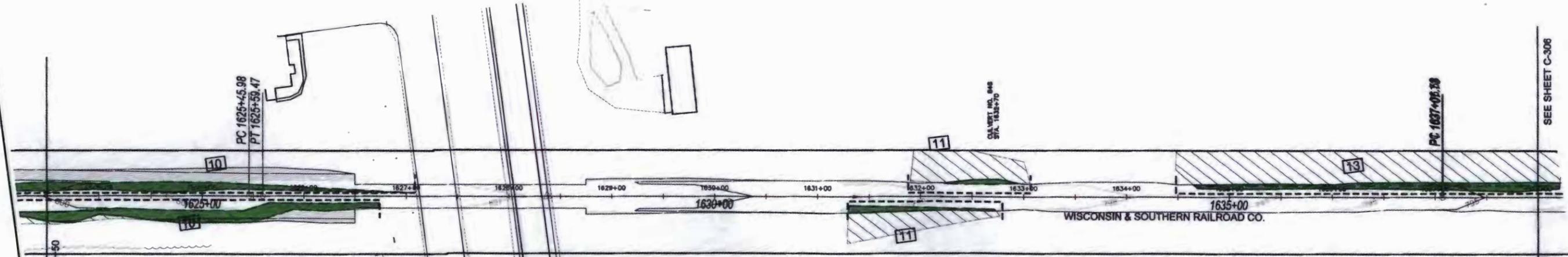
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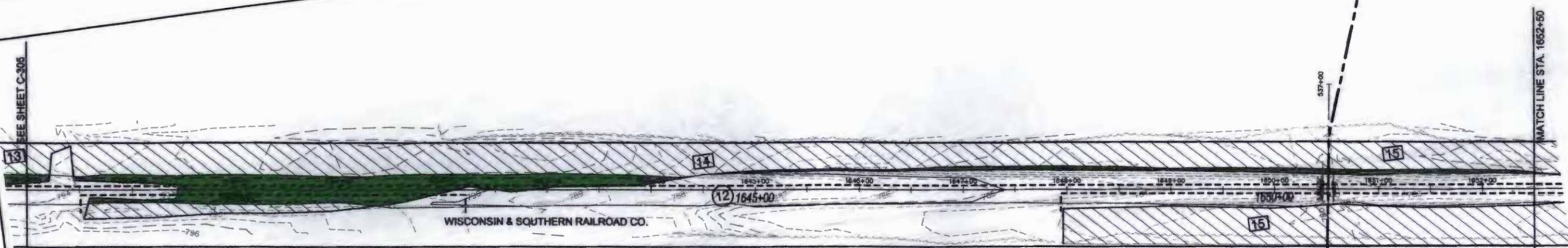
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UNNAMED TRIBUTARY TO MULLET RIVER

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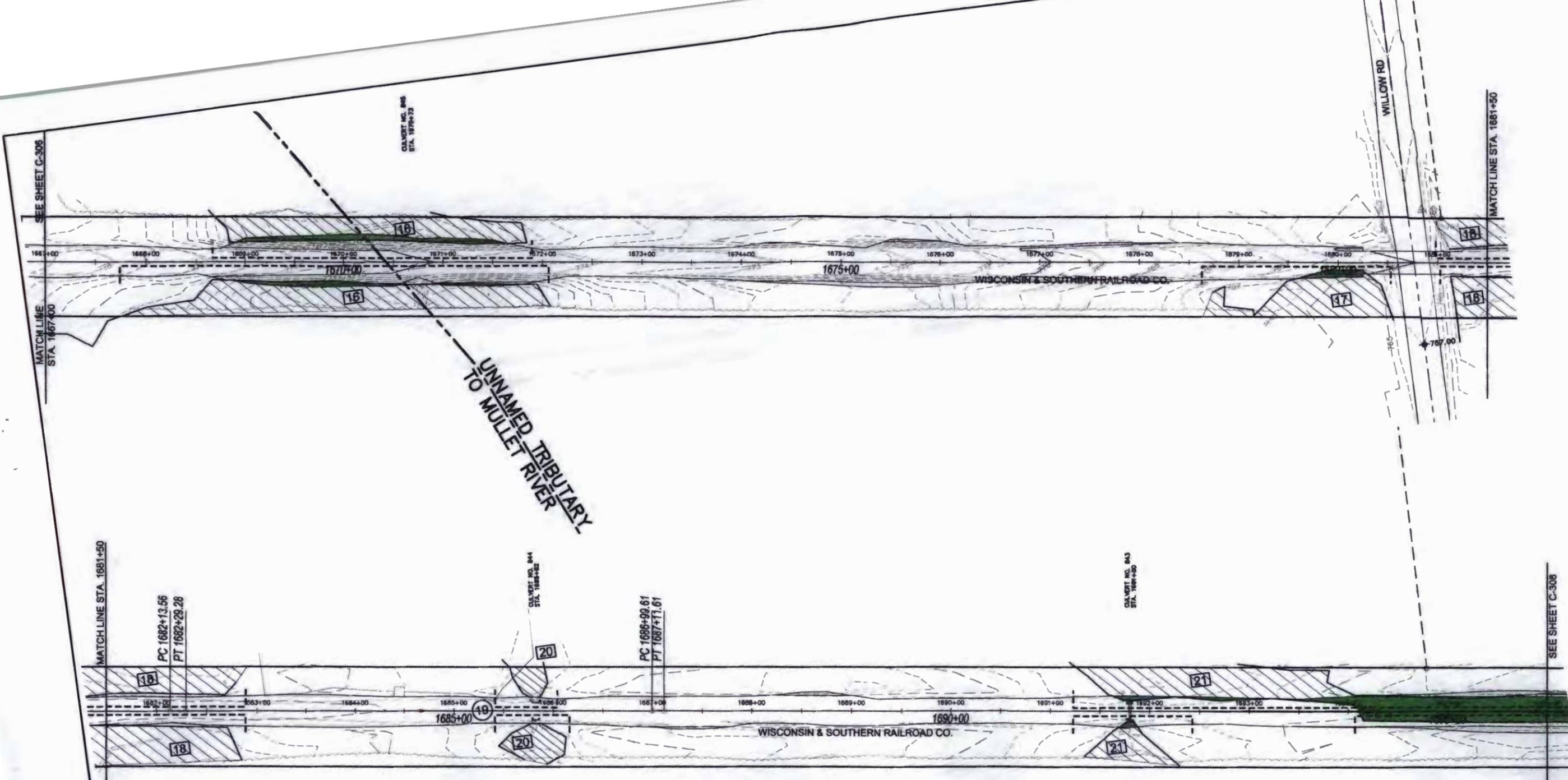
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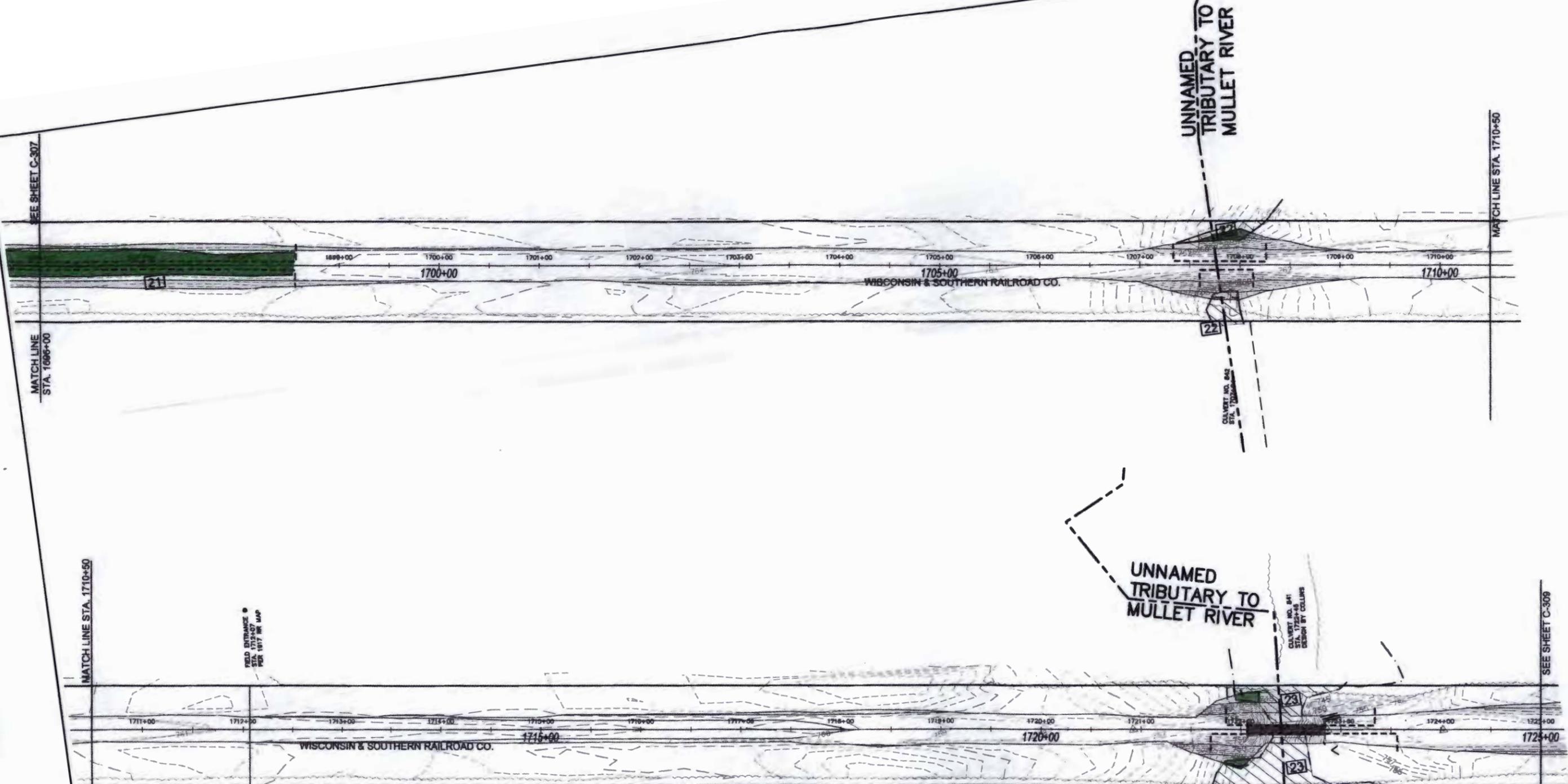
MATCH LINE STA. 1696+00

MATCH LINE STA. 1710+50

MATCH LINE STA. 1710+50

SEE SHEET C-309

MATCH LINE STA. 1725+00



LEGEND

WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.

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- WETLAND AREA
- WETLAND UNIT
- UPLAND UNIT

REV.#	BY	DATE	REVISION DESCRIPTION

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 DRAWN BY: JEHD
 APPROVED BY: JLJ
 DATE ISSUED: 09/02/14

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GRADING & EROSION CONTROL PLAN
 STA. 1696+00 TO STA. 1725+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-308
 SHEET
 46 OF
 70



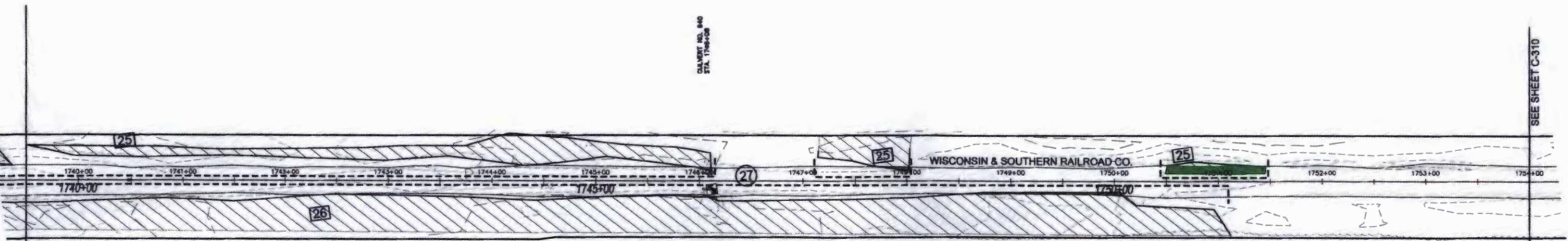
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MATCH LINE STA. 1725+00

MATCH LINE STA. 1739+50



CALVERT NO. 840
STA. 1746+00



MATCH LINE STA. 1739+50

SEE SHEET C-310

MATCH LINE STA. 1754+00

LEGEND

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- WETLAND AREA
- WETLAND UNIT
- UPLAND UNIT



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GRADING & EROSION CONTROL PLAN
STA. 1725+00 TO STA. 1754+00
TRACK REHABILITATION PROJECT
PLYMOUTH, WISCONSIN TO
SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-309
SHEET
47 OF
70

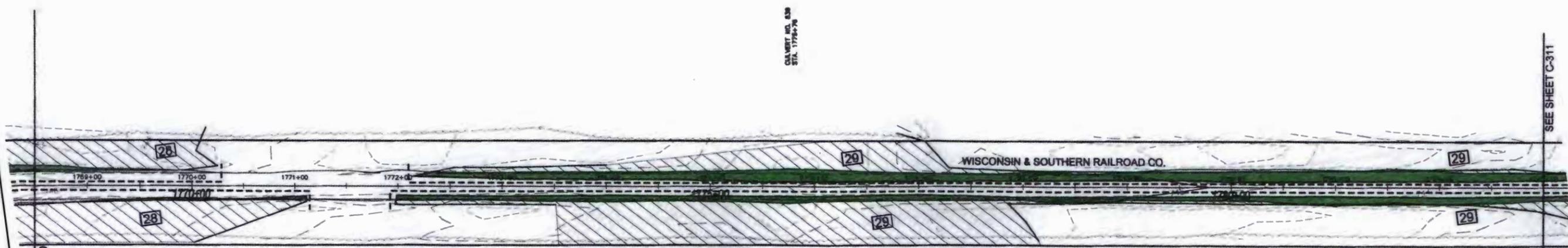
SEE SHEET C-309
MATCH LINE STA. 1754+00

MATCH LINE STA. 1768+50



MATCH LINE STA. 1768+50

CALVERT NO. 438
STA. 1776+78



SEE SHEET C-311
MATCH LINE STA. 1783+00

LEGEND

WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.

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WETLAND AREA
WETLAND LIMIT
UPLAND LIMIT



MATCH LINE STA. 1768+50

GRADING & EROSION CONTROL PLAN
STA. 1754+00 TO STA. 1783+00
TRACK REHABILITATION PROJECT
PLYMOUTH, WISCONSIN TO
SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-310
SHEET
48
OF
70

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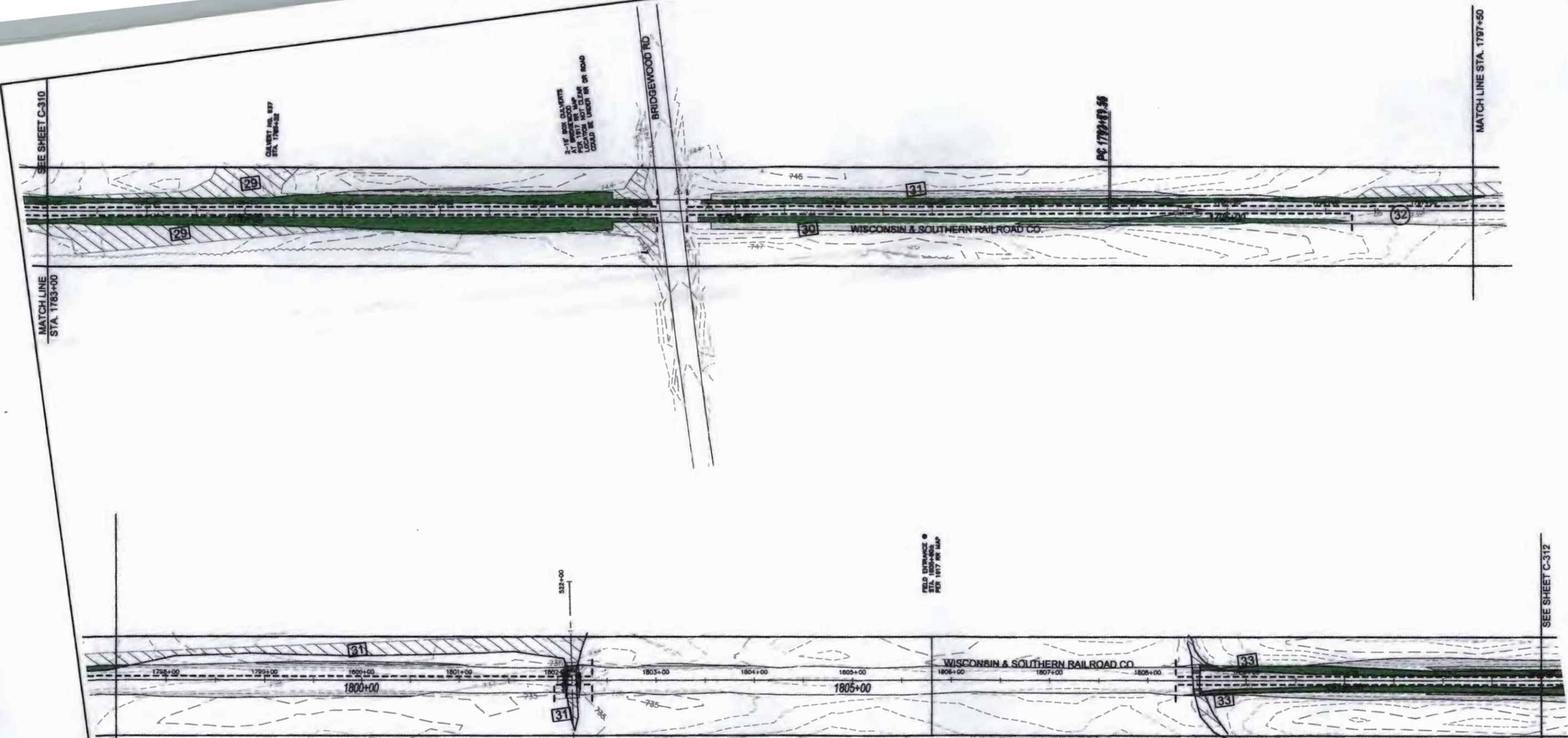
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- WETLAND AREA
- WETLAND UNIT
- UPLAND UNIT

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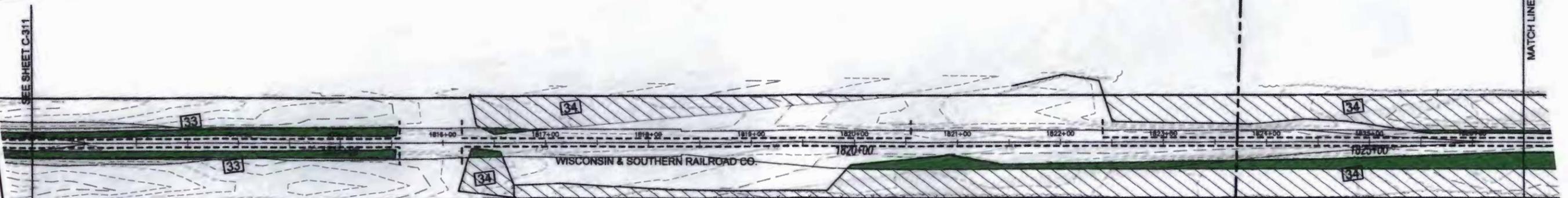
GRADING & EROSION CONTROL PLAN
 STA. 1783+00 TO STA. 1812+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET # **C-311**
 SHEET 49 OF 70



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UNNAMED TRIBUTARY TO SHEBOYGAN RIVER



LEGEND

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- WETLAND AREA
- WETLAND LINE
- UPLAND LINE

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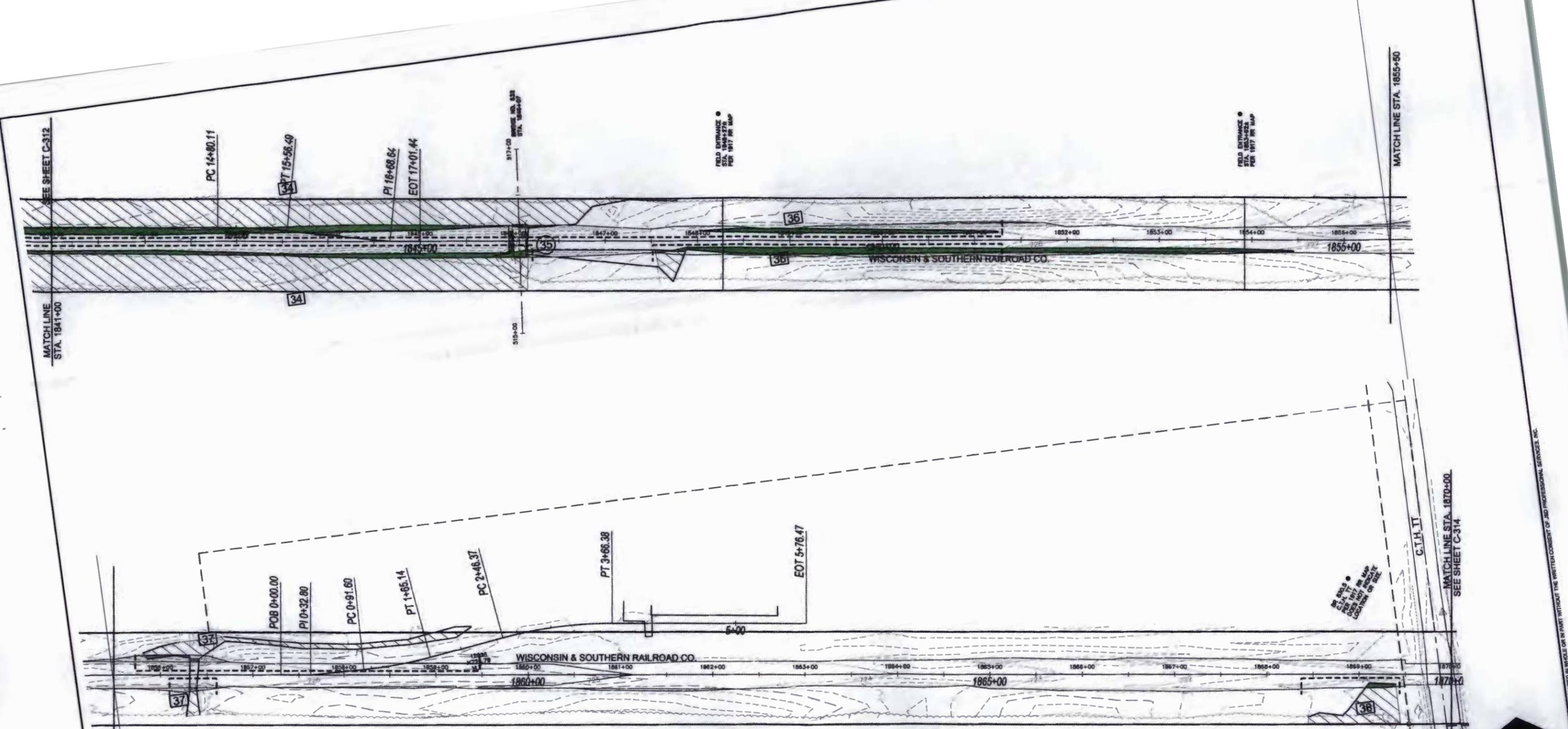
GRADING & EROSION CONTROL PLAN
 STA. 1812+00 TO STA. 1841+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-312
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 50
 OF
 70



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2013-03170-ADJ Page 14 of 25



MATCH LINE STA. 1855+50

MATCH LINE STA. 1870+00
SEE SHEET C-314

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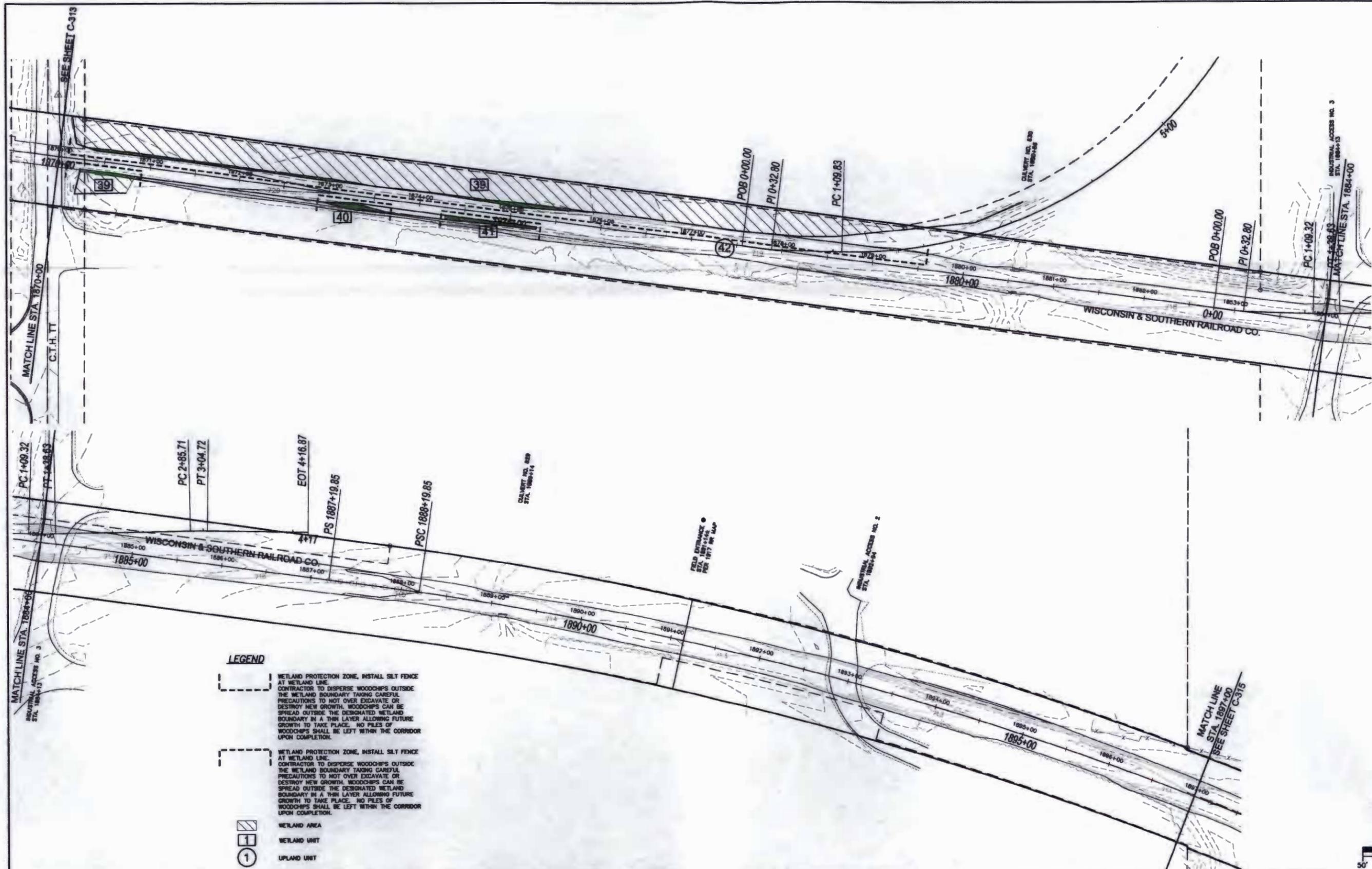
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GRADING & EROSION CONTROL PLAN
 STA. 1841+00 TO STA. 1870+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-313
 SHEET 51 OF 70

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LEGEND

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▨ WETLAND AREA

1 WETLAND UNIT

① UPLAND UNIT

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APPROVED BY:
JLJ

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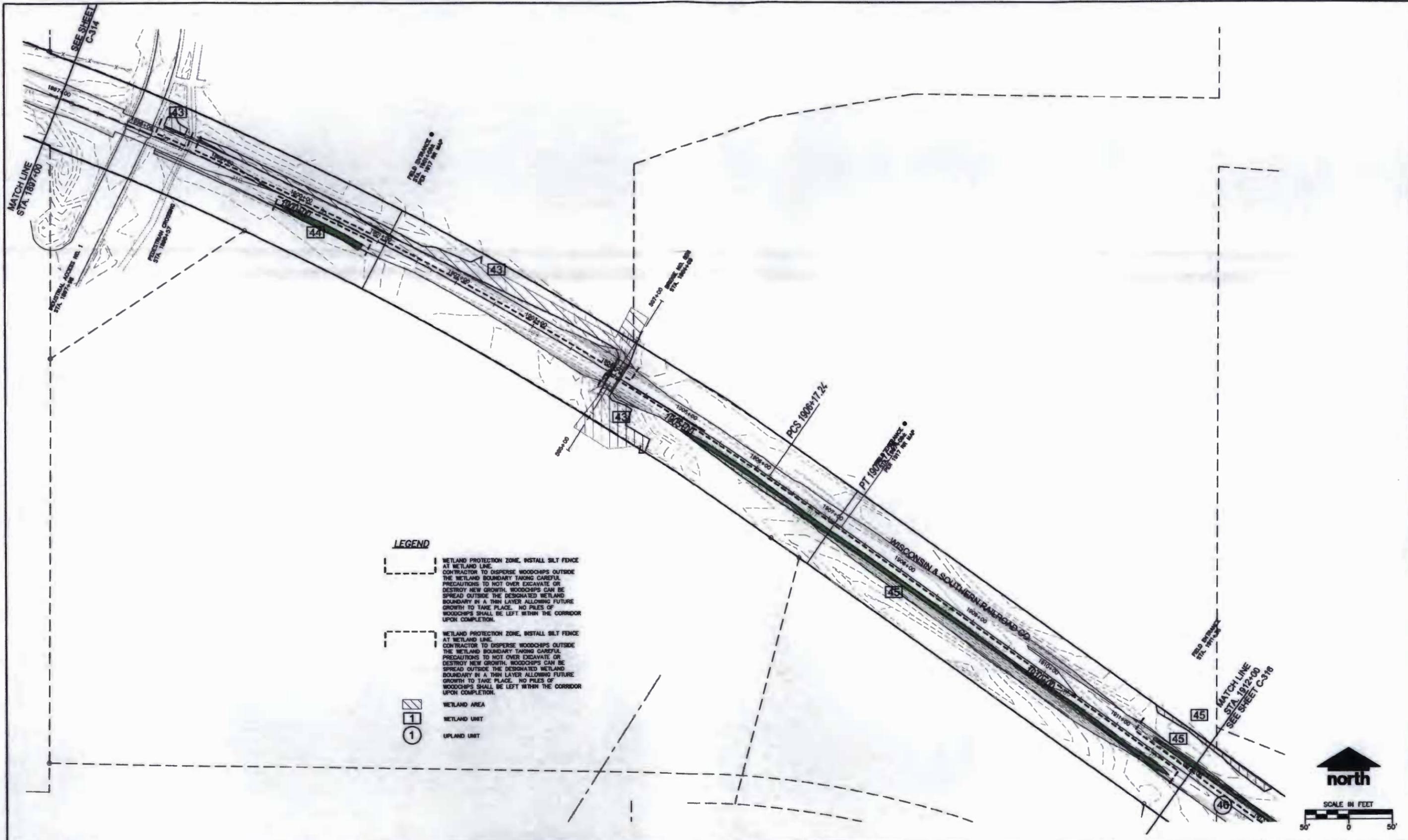
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GRADING & EROSION CONTROL PLAN
 STA. 1870+00 TO STA. 1897+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-314

SHEET
52 OF
70

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LEGEND

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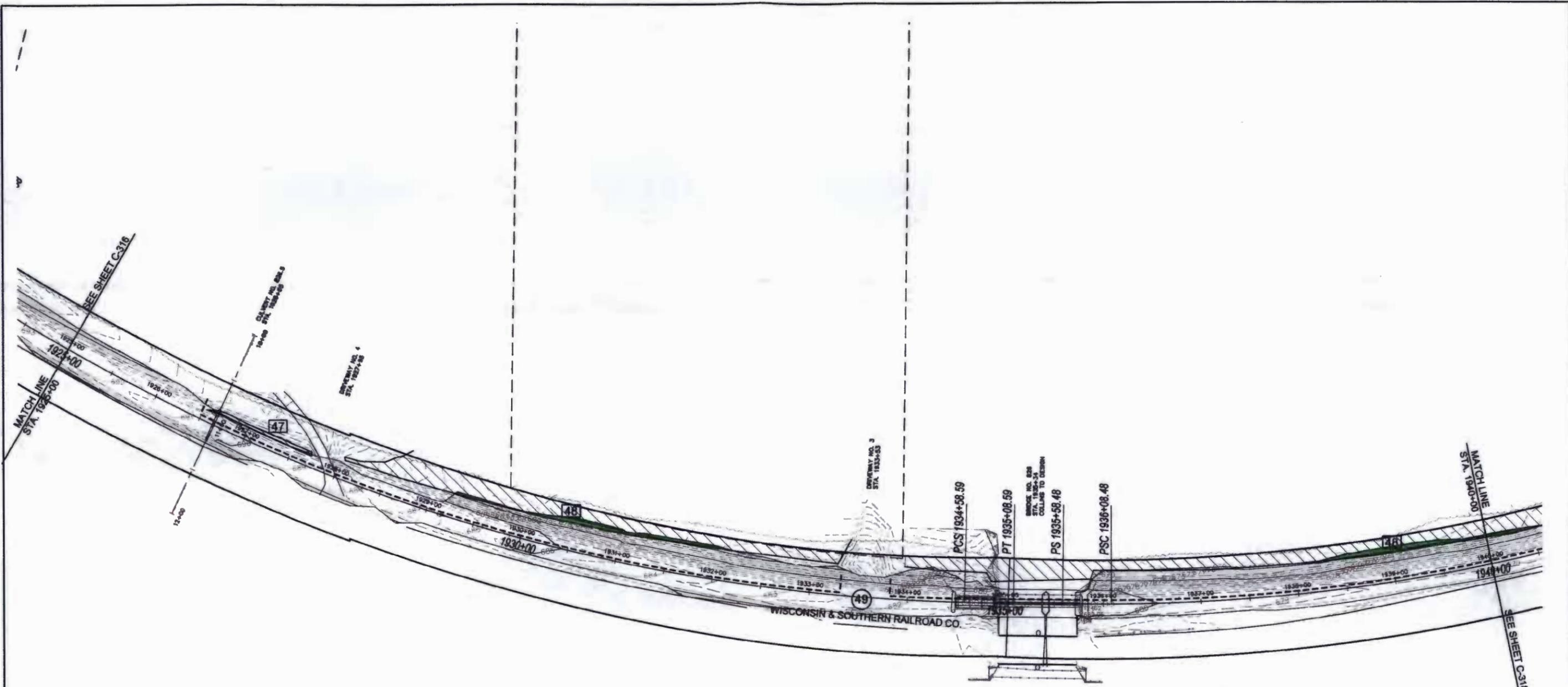
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GRADING & EROSION CONTROL PLAN
 STA. 1897+00 TO STA. 1912+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
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C-315

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53 OF
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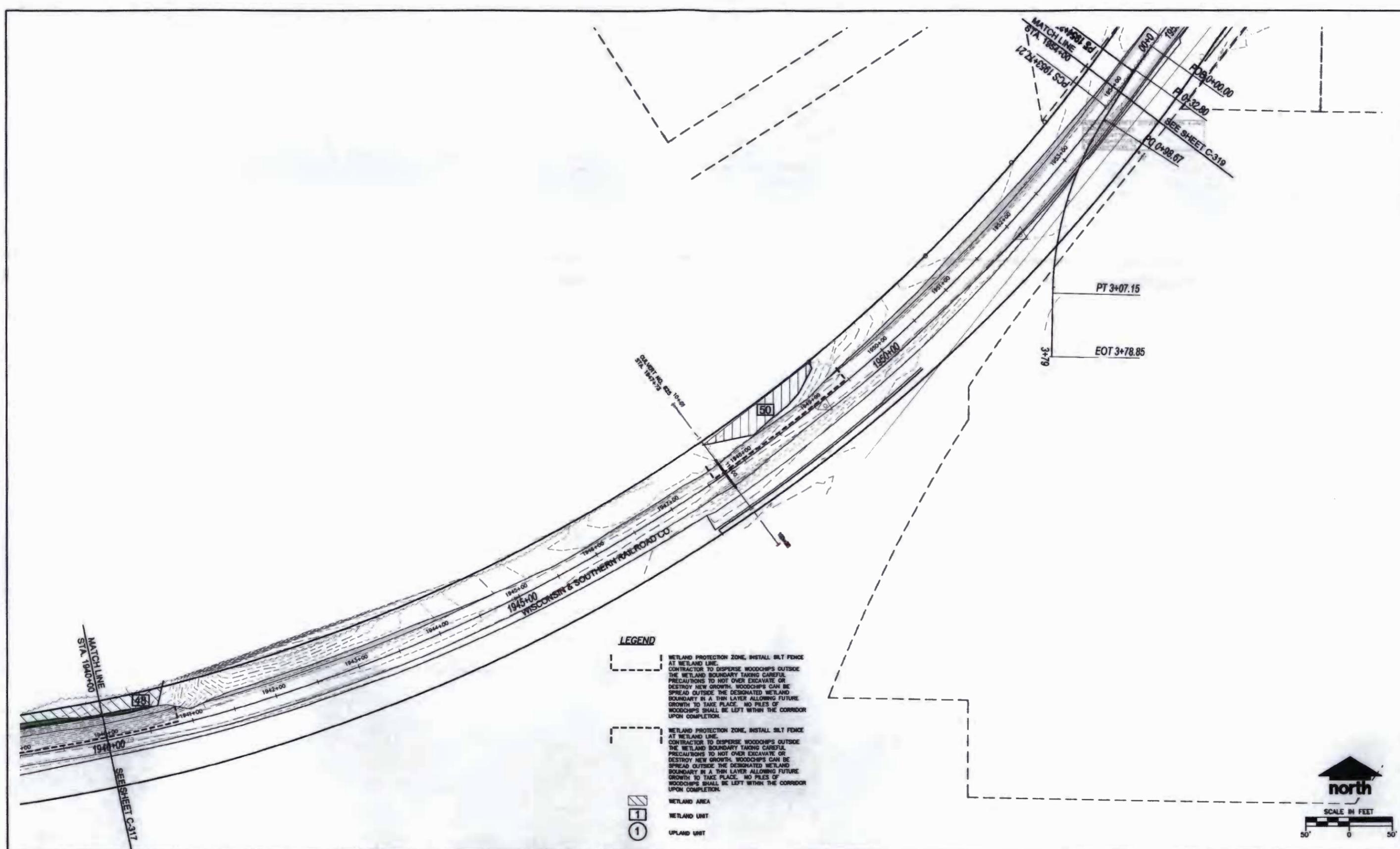
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GRADING & EROSION CONTROL PLAN
 STA. 1925+00 TO STA. 1940+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-317
 SHEET
55 OF
70



- LEGEND**
- WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.
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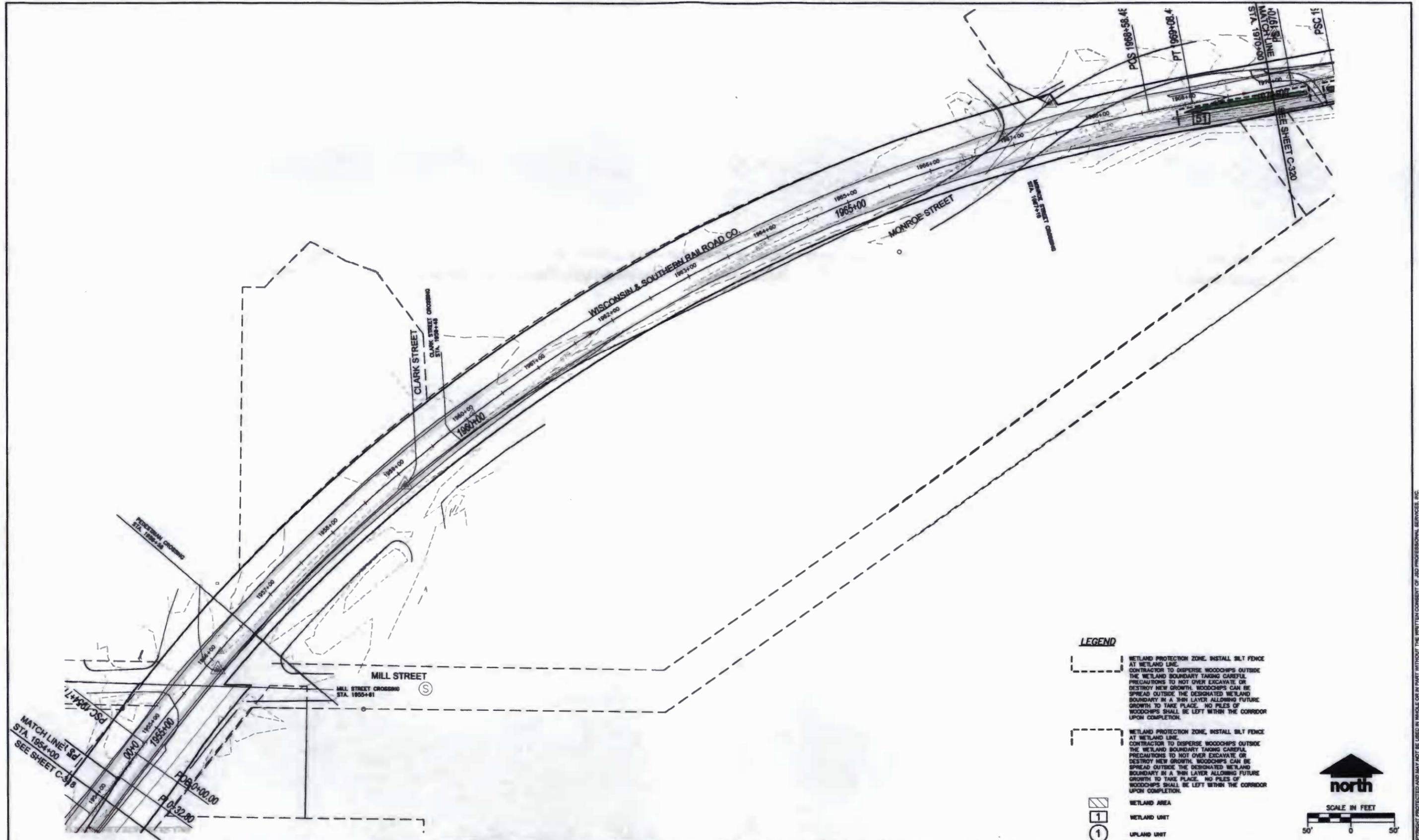
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GRADING & EROSION CONTROL PLAN
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 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-318
 SHEET
56 OF
70



LEGEND

WETLAND PROTECTION ZONE. INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A 3IN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.

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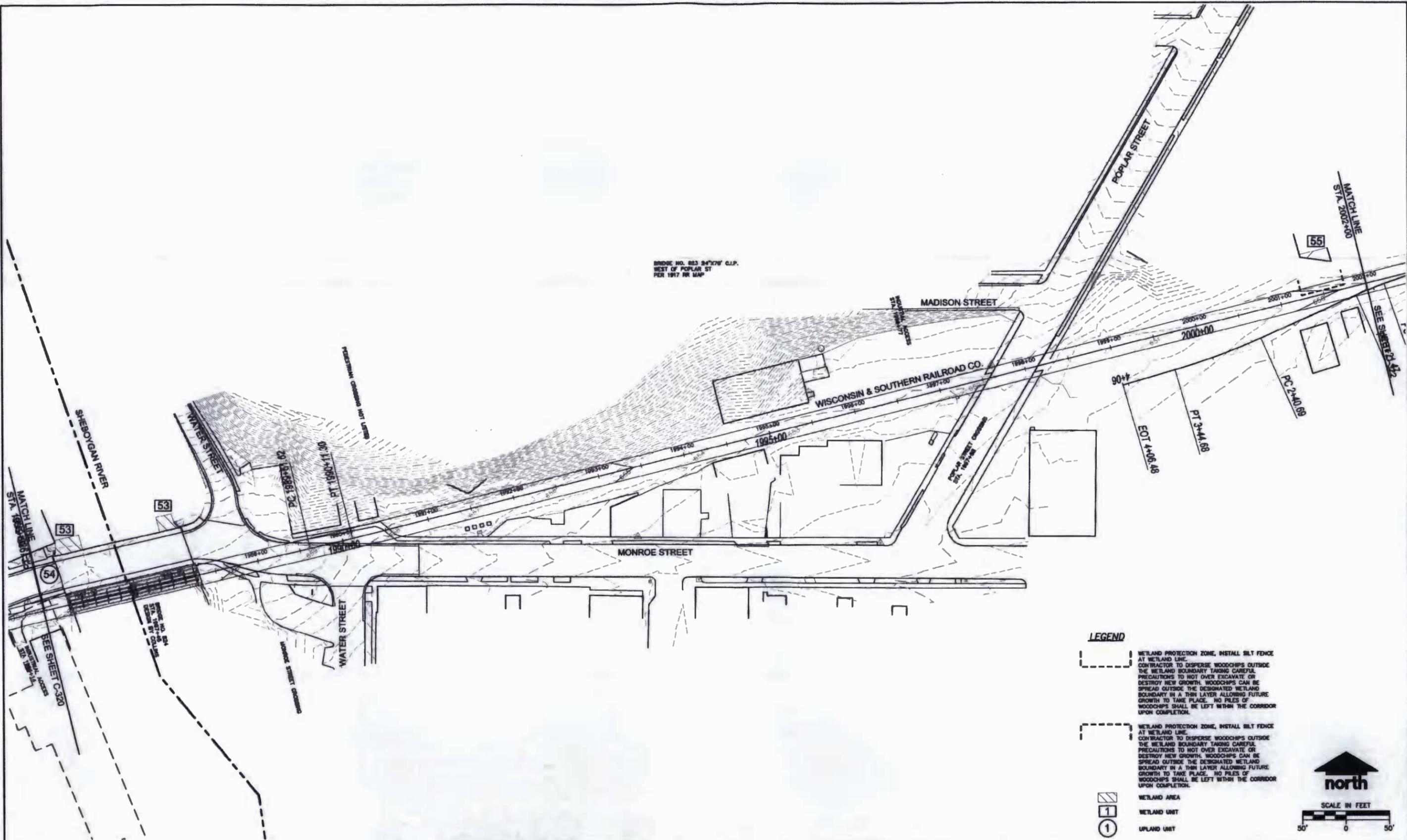
COLLINS ENGINEERS

WISCONSIN & SOUTHERN RAILROAD CO.

GRADING & EROSION CONTROL PLAN
 STA. 1954+00 TO STA. 1970+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-319
 SHEET
 57 OF
 70

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BRIDGE NO. 883 24'x70' C.L.P.
WEST OF POPLAR ST
PER 1917 RR MAP

LEGEND

- WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.
- WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.
- WETLAND AREA
- WETLAND UNIT
- UPLAND UNIT



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REV.#	BY	DATE	REVISION DESCRIPTION

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DRAWN BY:
JEHd
APPROVED BY:
JLJ
DATE ISSUED:
09/02/14

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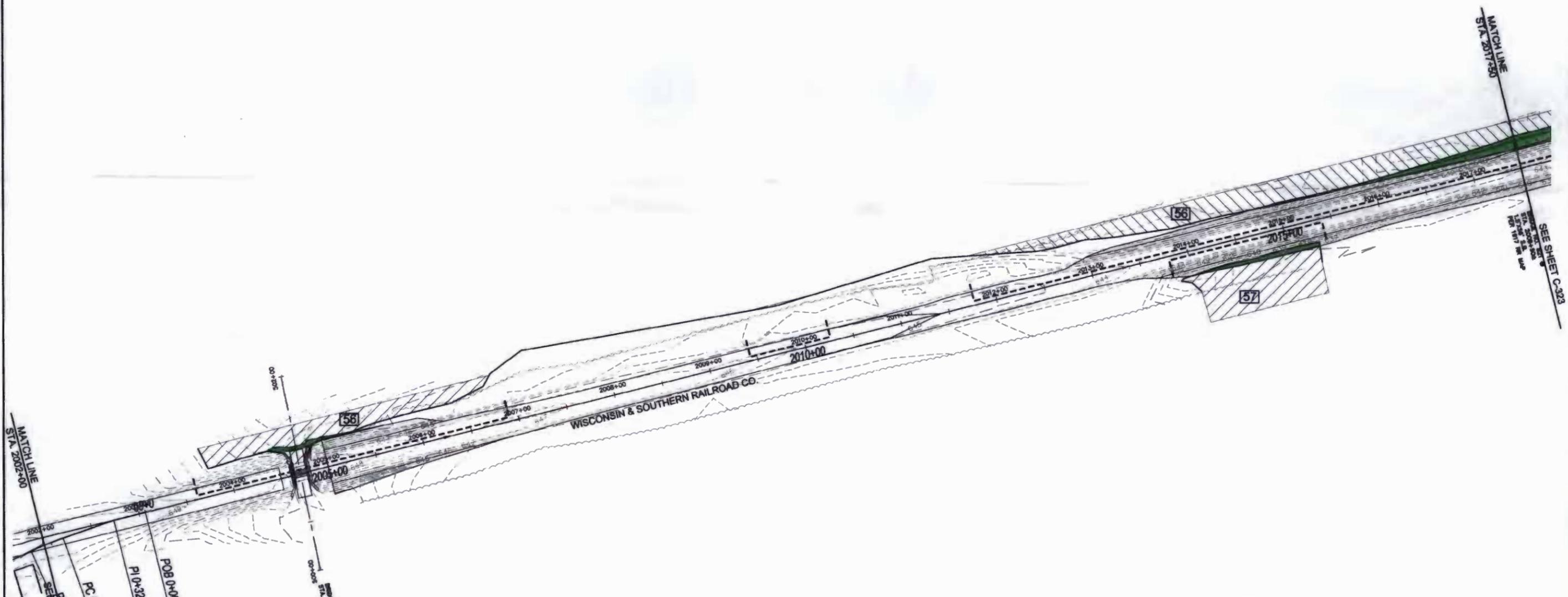
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GRADING & EROSION CONTROL PLAN
STA. 1986+50 TO STA. 2002+00
TRACK REHABILITATION PROJECT
PLYMOUTH, WISCONSIN TO
SHEBOYGAN FALLS, WISCONSIN

SHEET #
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SHEET
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LEGEND

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WETLAND AREA
 WETLAND UNIT
 UPLAND UNIT



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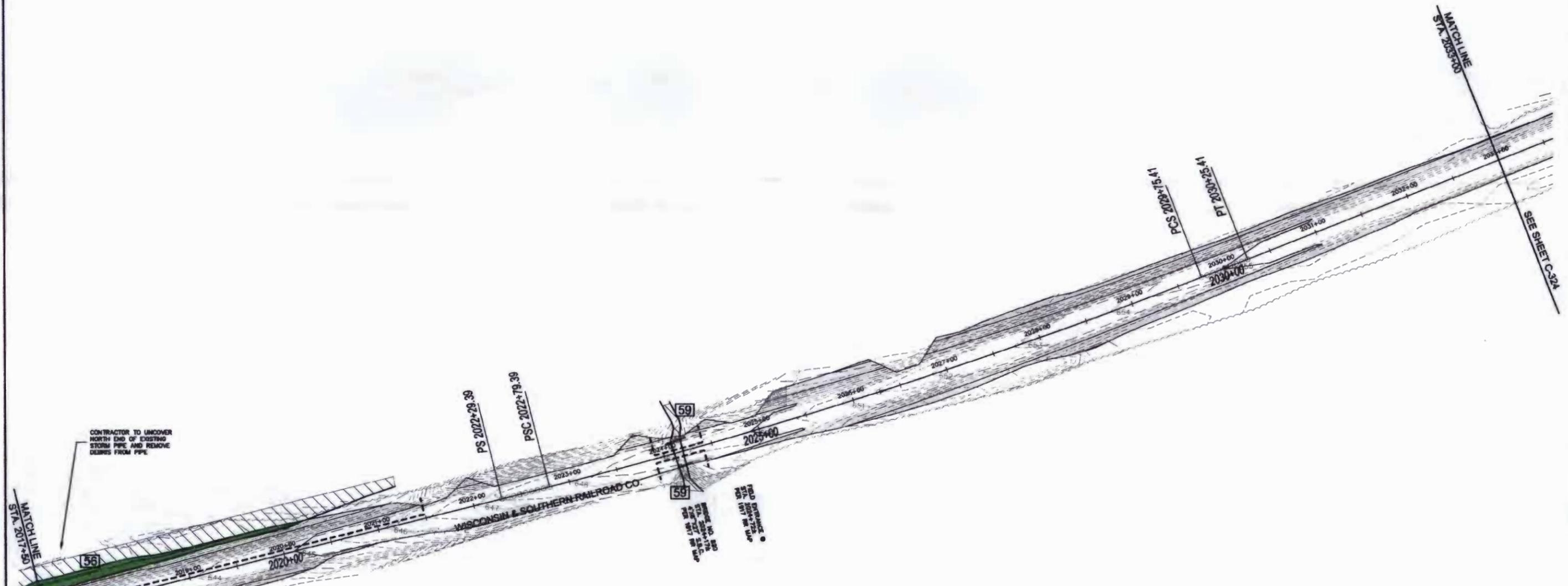
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GRADING & EROSION CONTROL PLAN
 STA. 2002+00 TO STA. 2017+50
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-322
 SHEET
 60 OF
 70



LEGEND

-  WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.
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-  WETLAND AREA
-  WETLAND LIMIT
-  UPLAND LIMIT



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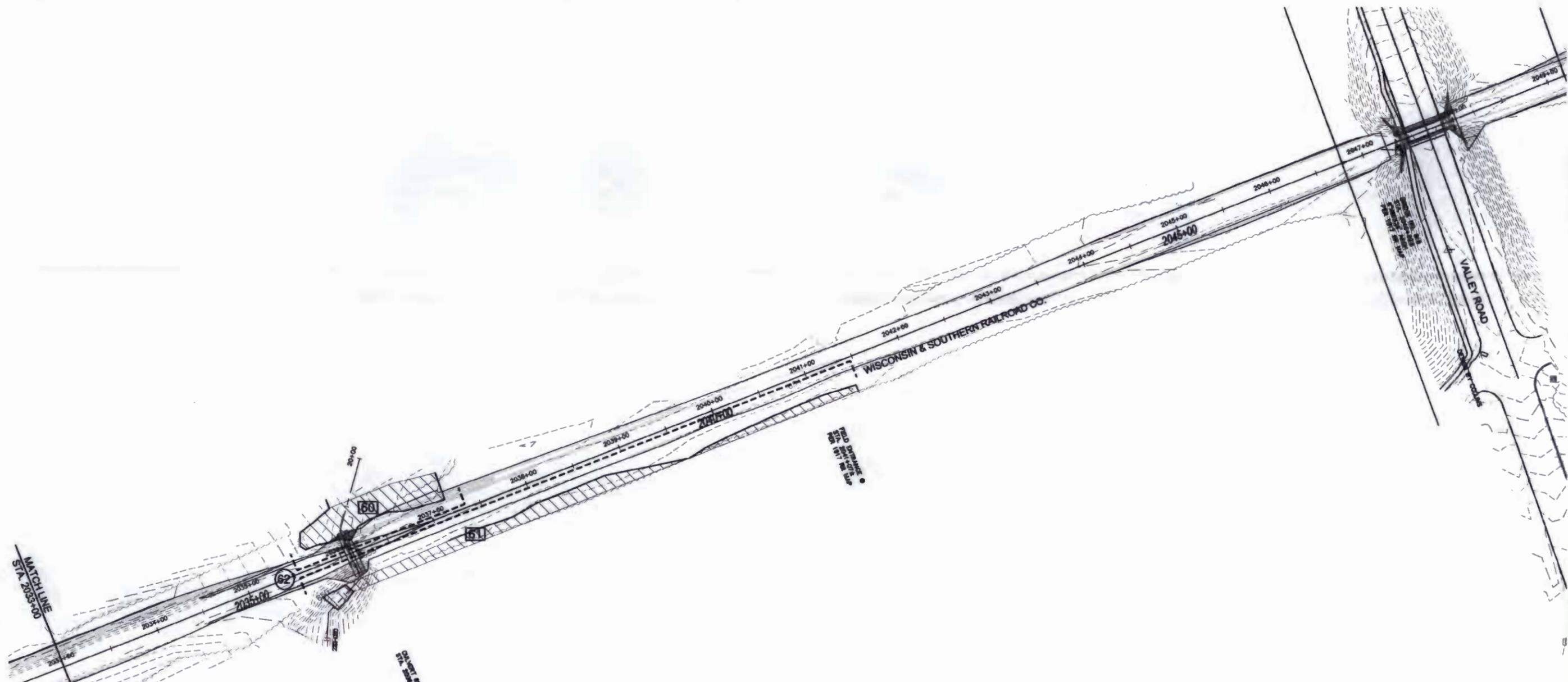
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GRADING & EROSION CONTROL PLAN
 STA. 2017+50 TO STA. 2033+00
 TRACK REHABILITATION PROJECT
 PLYMOUTH, WISCONSIN TO
 SHEBOYGAN FALLS, WISCONSIN

SHEET #
C-323
 SHEET
61 OF
70



LEGEND

WETLAND PROTECTION ZONE, INSTALL SILT FENCE AT WETLAND LINE. CONTRACTOR TO DISPERSE WOODCHIPS OUTSIDE THE WETLAND BOUNDARY TAKING CAREFUL PRECAUTIONS TO NOT OVER EXCAVATE OR DESTROY NEW GROWTH. WOODCHIPS CAN BE SPREAD OUTSIDE THE DESIGNATED WETLAND BOUNDARY IN A THIN LAYER ALLOWING FUTURE GROWTH TO TAKE PLACE. NO PILES OF WOODCHIPS SHALL BE LEFT WITHIN THE CORRIDOR UPON COMPLETION.

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WETLAND AREA
 WETLAND UNIT
 UPLAND UNIT

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 SHEET 62 OF 70