



**US Army Corps
of Engineers**
St Paul District

**APPLICANT: Wisconsin Department
of Transportation**

Public Notice

ISSUED: 8 February, 2013

EXPIRES: 10 March, 2013

REFER TO: 2012-05654-WMS

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material on the bed of Miller Creek, Middle River, unnamed streams, and into 11.08 acres of wetlands for the reconstruction of 5.33 miles of USH 2 from the USH 53/USH 2 interchange to CTH D in the village of Poplar.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 1701 N. 4th Street
Superior, Wisconsin 54880

AGENT: Donahue & Associates
AGENT'S ADDRESS: 3311 Weeden Creek Road
Sheboygan, Wisconsin 53081

PROJECT LOCATION: The project is located in Sections 32, 33, 34, 35, 36 T. 48N., R. 12W., and Section 1 T. 47N., R. 12W., Douglas County, Wisconsin. The approximate UTM coordinates are Zone 15N, beginning at -91.903381, 46.603801 and ending at -91.803141, 46.586092.

DESCRIPTION OF PROJECT: The purpose of the project is to provide safe and efficient transportation along USH 2 between the USH 53/USH 2 interchange and CTH D in the village of Poplar. Improvements proposed for this 5.33-mile segment of highway would provide safety improvements, correct substandard design features and deteriorating pavement, and alleviate congestion caused by school bus stops and turning movements for driveways. This section of highway currently has the following deficiencies:

1. Deteriorating pavement.
2. The current vertical alignment has ten substandard locations with inadequate stopping-sight distances.
3. There are two problematic curves adjacent to each other near Twenty-Two Road.
4. There are sixteen separate access points for private entrances within one mile of USH 2 from the CTH U intersection to Twenty-Two Road.
5. The existing passing lane configurations are substandard in location and length.

The preferred alternative involves milling, pulverizing and resurfacing the road surface, replacing median curb and gutter, reconfiguring transitions from four lanes to two lanes, replacing sub-par culvert pipes, and extending the box culvert to the south at the Middle River crossing. The preferred alternative includes moving the centerline alignment for the two lane section between CTH U and Twenty-Two Road to the north between the Tri-County Recreational Trail and the existing highway, and south between the Tri-County Recreational Trail and the existing highway between Twenty-Two Road and Wentworth Road. In some locations, the existing roadbed for the Tri-County Recreational

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Trail would be used for the new USH 2 alignment. The existing USH 2 corridor between CTH U and Twenty-Two Road would become a frontage road parallel to new USH 2 alignment and connect to USH 2 at two controlled access points.

The Tri-County Trail would be realigned in two locations. The first location begins immediately east of Smith Road, where the trail would shift approximately 75 feet north for approximately one-half mile. The second location begins at Twenty-Two Road south and continues to approximately School Road, where the trail would be shifted north of existing the USH 2 and then cross new USH 2 at a right angle, then re-connecting to the existing Tri-County Trail. In the areas of realignment, the existing Tri-County Trail would be removed. During construction, the Tri-County trail would have to be detoured. The detour route would begin at Rockmont Road and head south to Bayfield Road east, to Lackson Road north, to School Road east back to the existing Tri-County Trail. USH 2 traffic will not be detoured during construction.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project would result in discharges of fill material into a total of approximately 11.08 acres of wetlands located in numerous locations throughout the 5.33 mile long project. Wetland fill impacts by wetland type include 3.47 acres of wet meadow, 0.04 acre of shallow marsh, 3.31 acres of wooded swamp, and 4.26 acres of shrub swamp. The project would also result in discharges of fill material into the Middle River, Miller Creek, and numerous unnamed streams for the installation or extension of culvert structures. Total waterway impacts are approximately 786 linear feet.

SOURCE OF FILL MATERIAL: The applicant has states that the location of borrow material sites would be determined by the contractor selected for construction of the project at the time the contract is awarded.

SURROUNDING LAND USE: The land surrounding the 5.33 mile long roadway corridor is predominately rural residential with some commercial, agricultural, and forest land present. There is also recreational use associated with the tri-County Recreational trail adjacent to the project site.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel, hydraulic fluid, lubricants, coolant, and other fluids commonly used by construction equipment would be expected to be present for construction of the project

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant stated that potential water quality impacts would be minimized by constructing the project in accordance with the following guidelines and regulations:

- WisDOT Facilities Development Manual, Chapter 10—*Erosion Control and Storm Water Quality*
- Wisconsin Administrative Code Chapter TRANS 401—*Construction Site Erosion Control and Storm Water Management Procedures for Department Actions*
- WisDOT/DNR Cooperative Agreement Amendment—*Memorandum of Understanding on Erosion Control and Storm Water Management*

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MITIGATION: Compensatory mitigation would be provided at a Wisconsin Department of Transportation Wetland Mitigation Bank at ratios determined in accordance with the WDOT/WDNR Cooperative Agreement and the Wisconsin Mitigation Banking Technical Guidelines.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 15954 Rivers Edge Drive, Suite 240, Hayward, WI 54843.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Bill Sande at the Hayward office of the Corps, telephone number (715) 934 -2170.

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[Email Notification of Public Notices](#)

on the left side of the web site under Notices.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Douglas County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

<u>Species</u>	<u>Habitat</u>
Canada Lynx (T)	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
Kirtland's Warbler (E)	Potential breeding in young jack pine stands (5 to 25 years old).
Piping Plover (E)	Sandy beaches; bare alluvial and dredge spoil Islands.

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Fassett's Locoweed (T)

Open sandy lakeshores

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 08-02. We have made an initial 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 and/or Section(s) 9 & 10 of the Rivers and Harbors Act. The Corps will prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional determinations are posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for water quality certification. A permit will not be granted until the Wisconsin Department of Natural Resources has issued Section 401 certification.

7. HISTORICAL/ARCHAEOLOGICAL.

The latest versions of the National Register of Historic Places (Register) and the Wisconsin Historic Preservation Database (WHPD) have been consulted and no listed properties (known to be eligible for inclusion or included in the Register) are located within, or adjacent to the project area. This public notice is being sent to the State Historic Preservation Office (SHPO) for their comments.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including

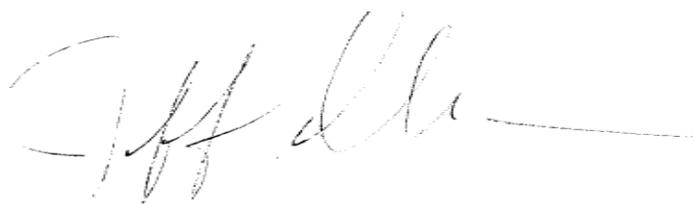
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the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

10. COASTAL ZONE MANAGEMENT.

The Wisconsin Coastal Management Program (WCMP) in the Department of Administration is inviting public comment regarding this project. The WCMP may conduct a Federal consistency review to verify that the project will comply with State policies in Wisconsin's coastal zone. Further information may be obtained from the Federal Consistency Coordinator at: Wisconsin Coastal Management Program, P.O. Box 7868, Madison, WI 53707-7868; (608) 266-8234. Any comments on whether or not this proposed project complies with the State enforceable policies should be received within 30 days by the Federal Consistency Coordinator.

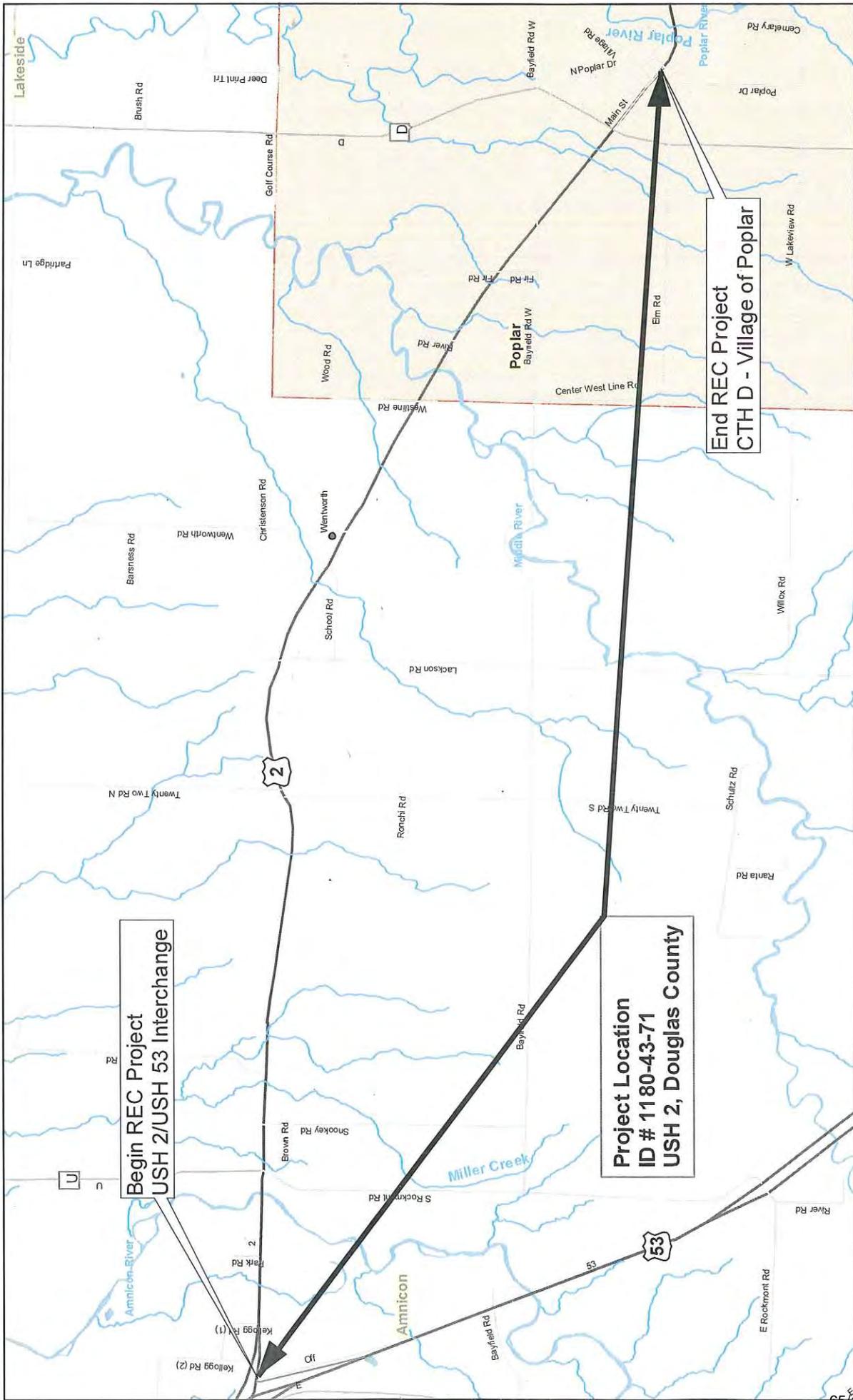


Jeffrey Olson
Chief, Northeast Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.

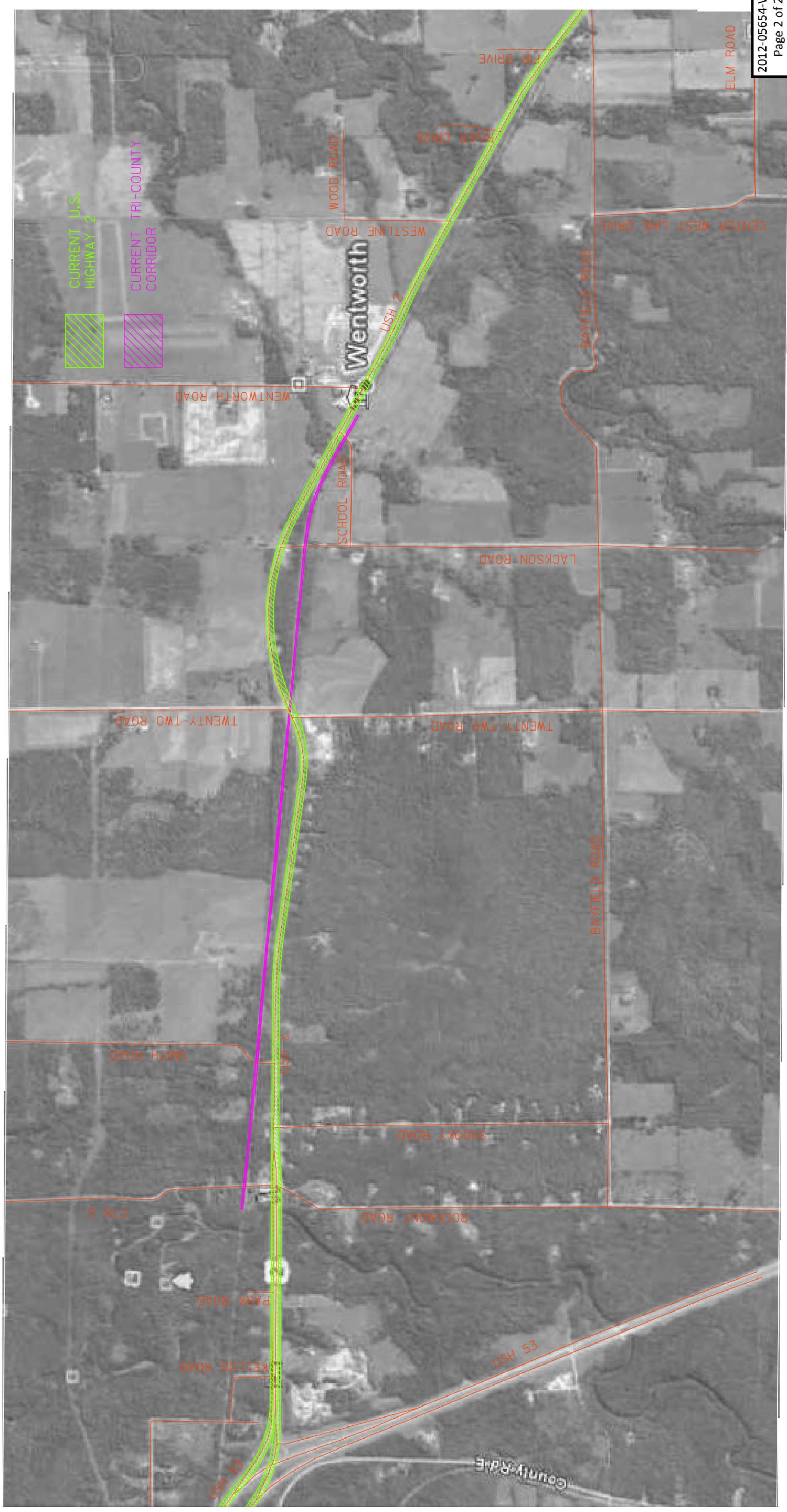
Douglas County



65/487

OVERVIEW OF EXISTING ROADWAY AND TRAIL

Showing existing USH 2 in green and the existing Tri County Trail in purple.

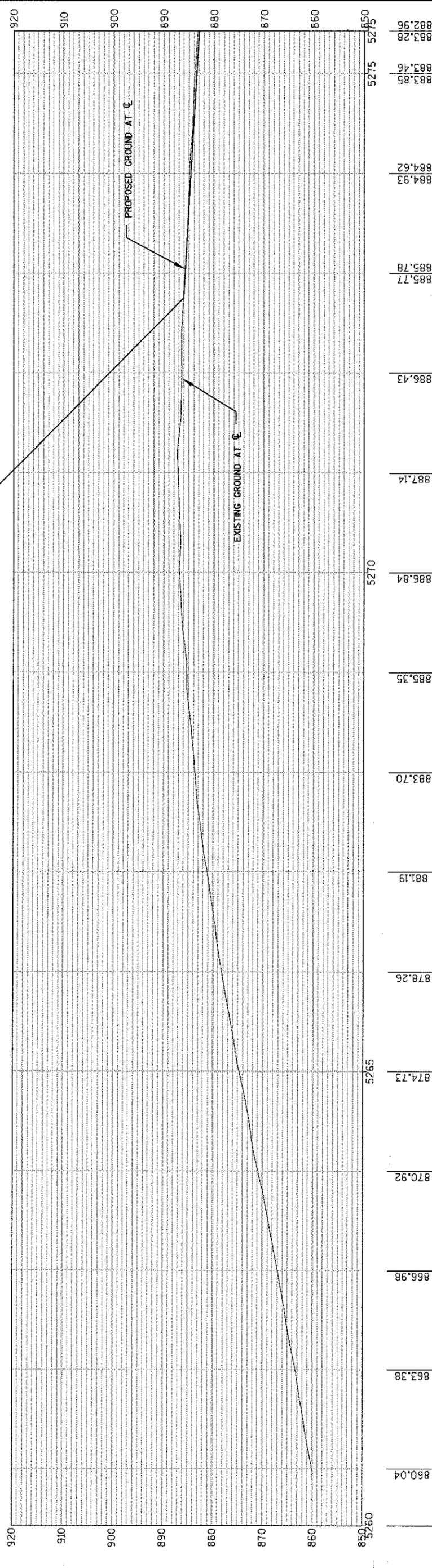
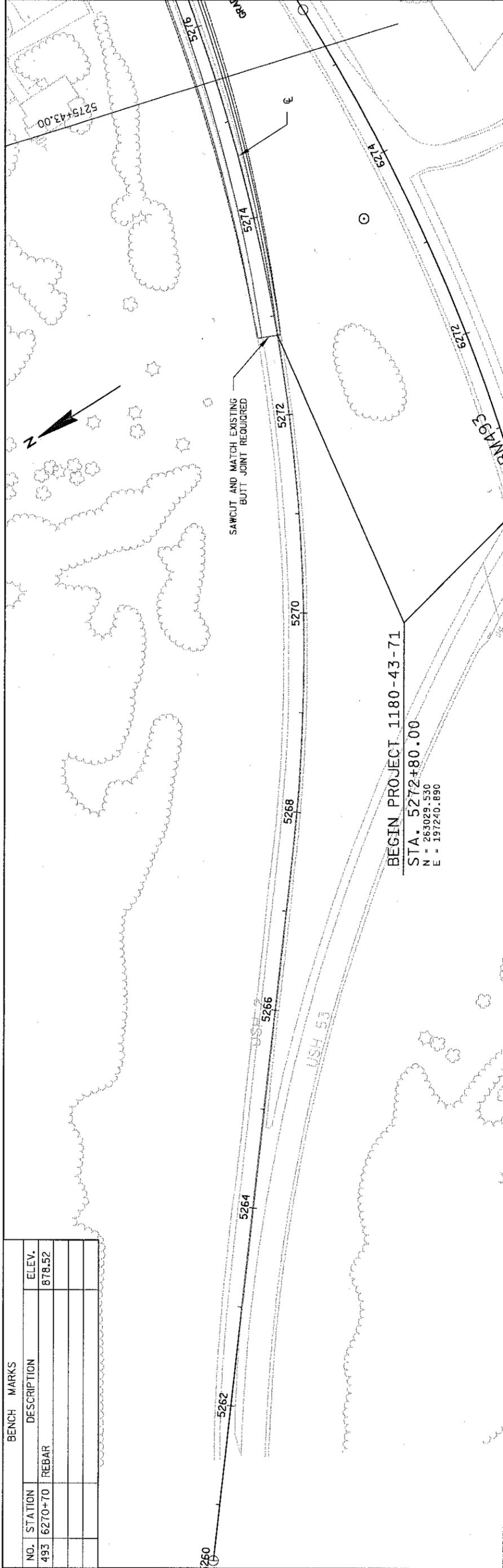


PROJECT OVERVIEW

Showing proposed USH 2 in green and proposed Tri County Trail in purple. The blue line is showing the detour needed for the Tri County trail during construction in 2014.

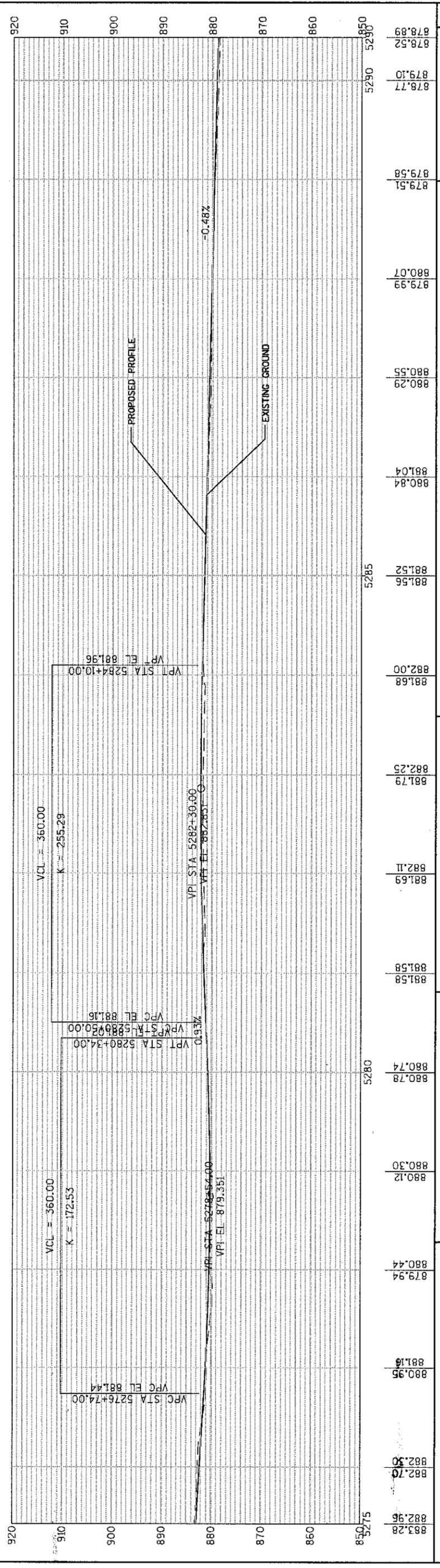
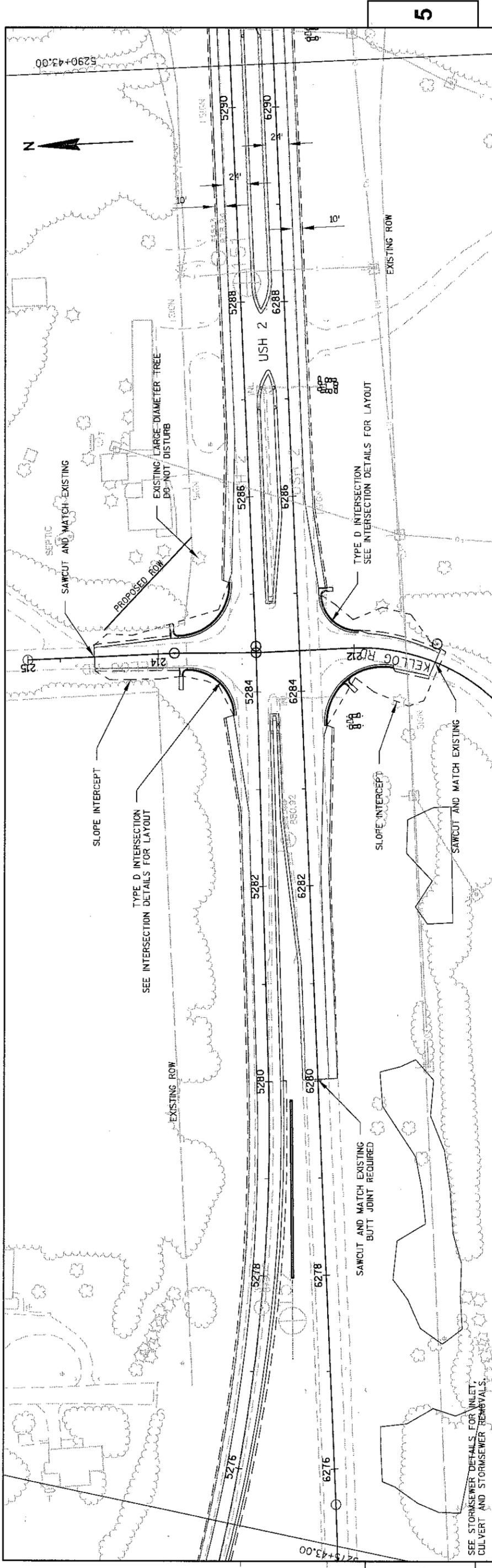


BENCH MARKS			
NO.	STATION	DESCRIPTION	ELEV.
493	6270+70	REBAR	878.52



STATION	ELEVATION
5260	860.04
5261	863.38
5262	866.98
5263	870.92
5264	874.73
5265	878.26
5266	881.19
5267	883.70
5268	885.35
5269	886.84
5270	887.14
5271	885.77
5272	884.62
5273	883.85
5274	883.46
5275	882.96

PROJECT NO: 1180-43-71 COUNTY: DOUGLAS PLAN AND PROFILE: 5260+00 - 5275+00 SHEET E
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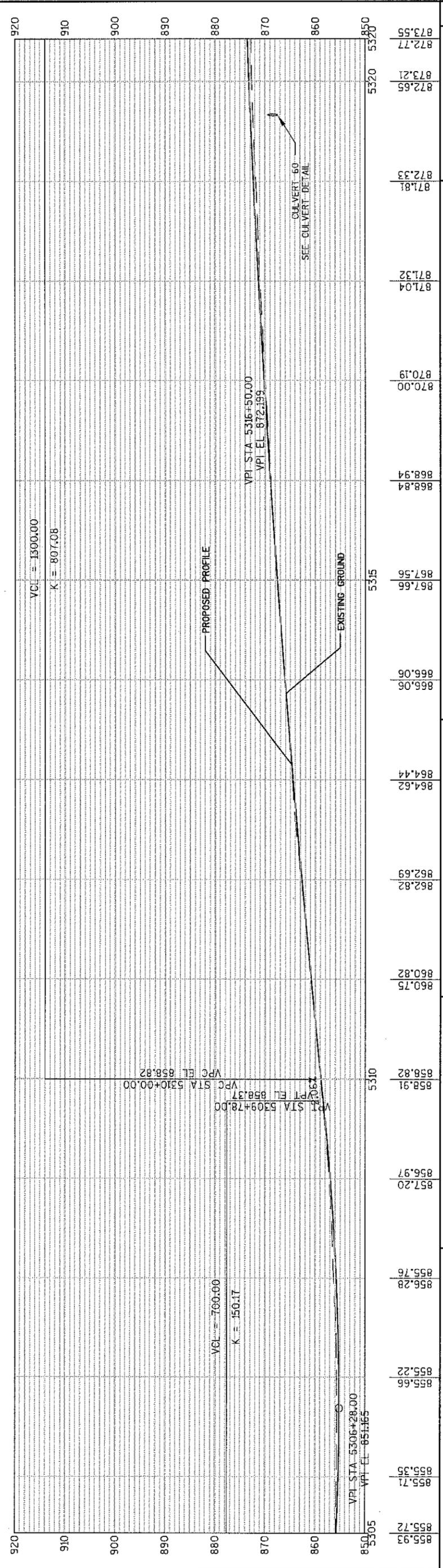
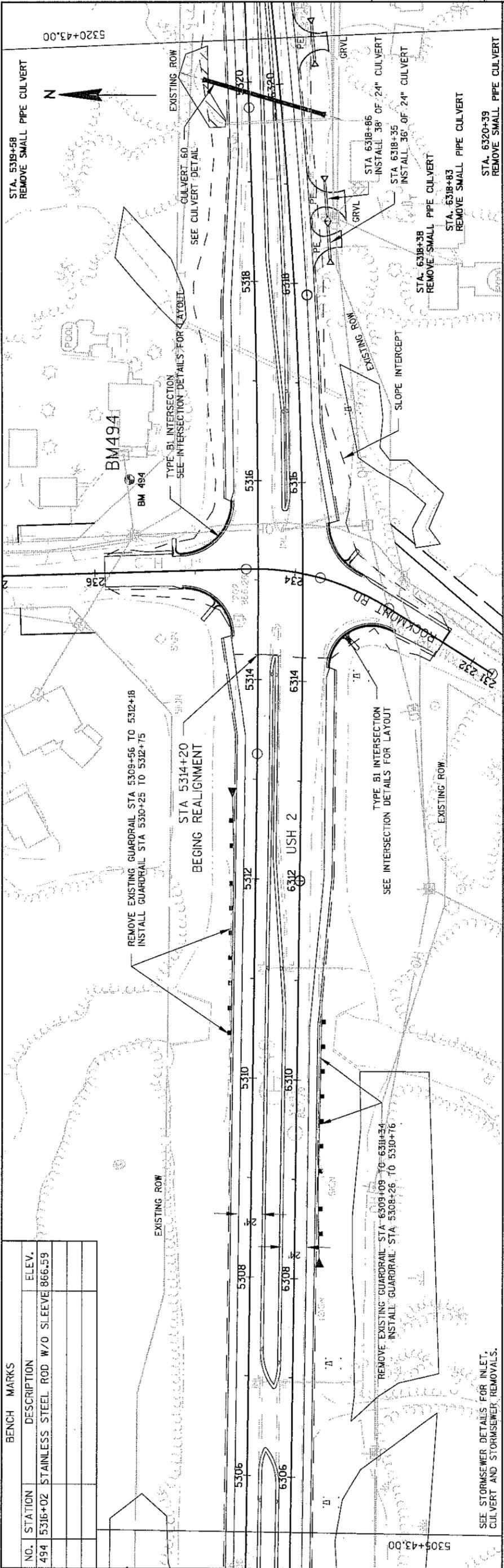


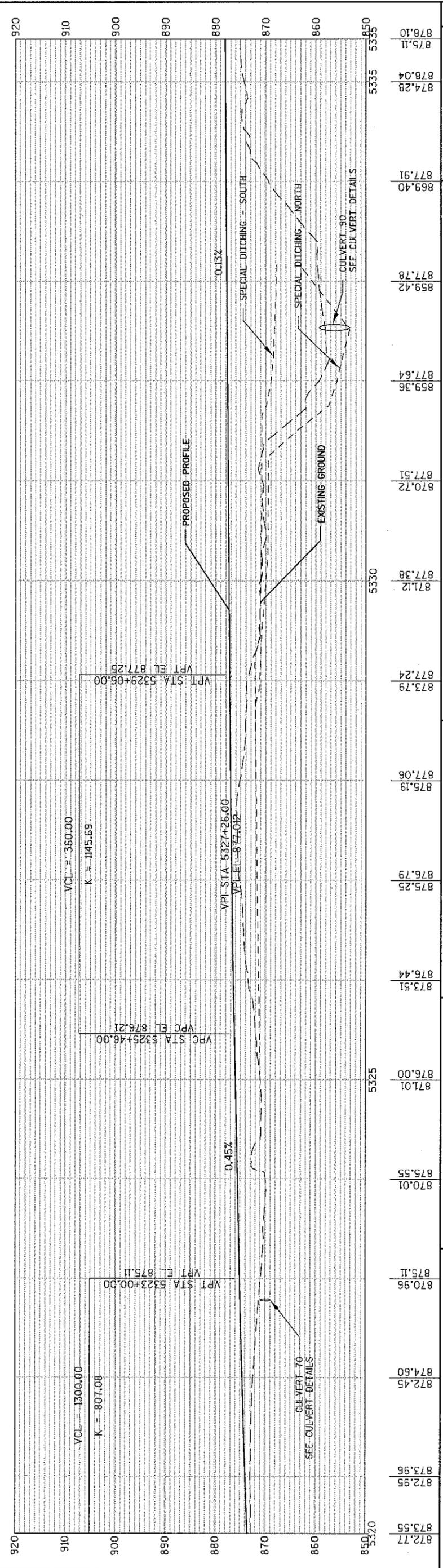
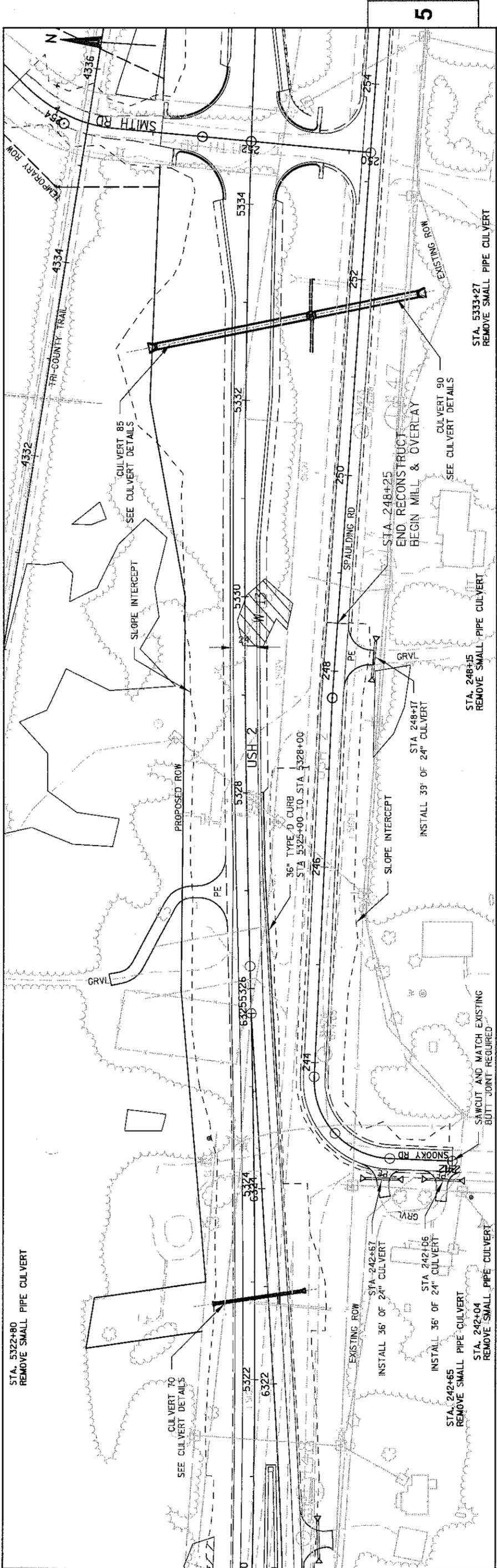
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5275	882.28	
5276	882.70	
5277	882.95	
5278	880.44	
5279	880.12	
5280	880.30	
5281	880.78	
5282	880.74	
5283	881.58	
5284	881.58	
5285	881.56	
5286	881.52	
5287	881.04	
5288	880.84	
5289	880.29	
5290	879.99	
5291	880.07	
5292	879.58	
5293	879.51	
5294	879.10	
5295	878.77	
5296	878.52	
5297	878.89	

PROJECT NO: 1180-43-71
 COUNTY: DOUGLAS
 HWY: USH 2
 PLAN AND PROFILE: 5275+00 - 5290+00

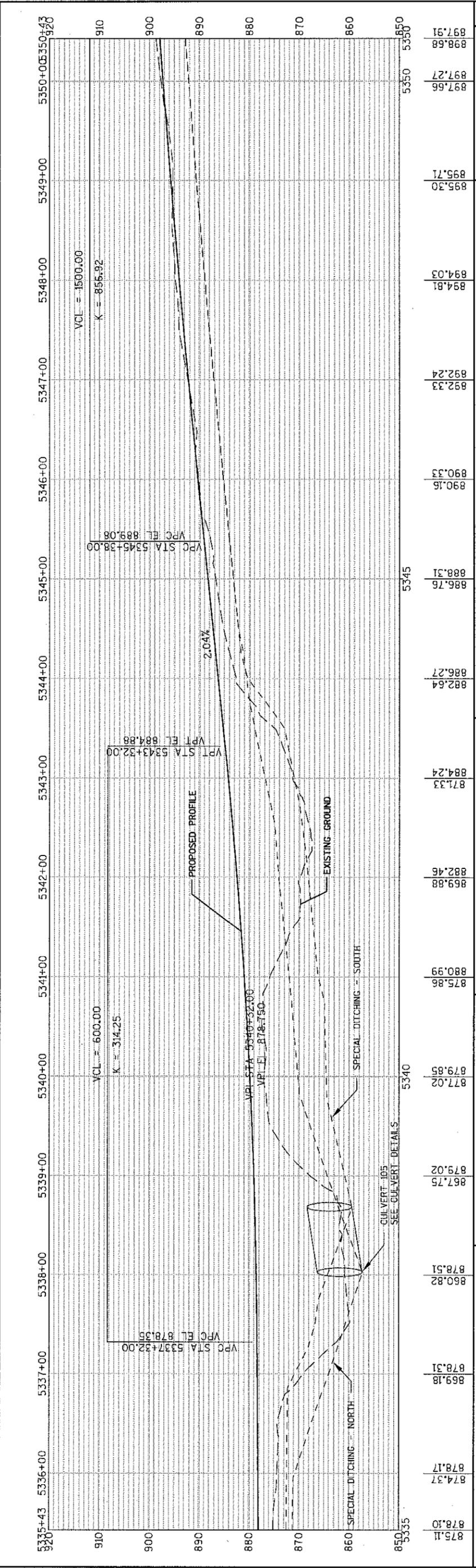
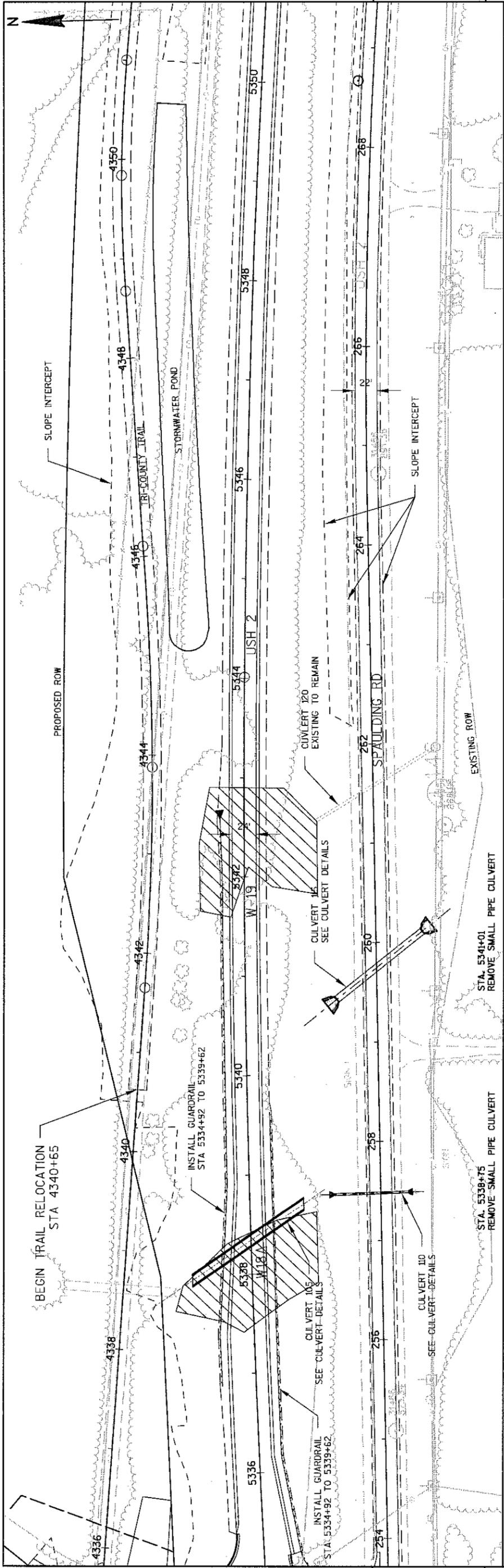
SHEET
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BENCH MARKS		
NO.	DESCRIPTION	ELEV.
494	5316+02 STAINLESS STEEL ROD W/O SLEEVE	866.59





STATION	ELEVATION	DESCRIPTION
850.00	5320	
872.77	5320	
873.55	5320	
872.95	5320	
873.95	5320	
874.50	5320	
870.95	5320	
875.11	5320	
870.01	5320	
876.00	5325	
873.51	5325	
876.44	5325	
875.25	5325	
876.79	5325	
875.19	5325	
877.06	5325	
873.79	5325	
877.24	5325	
877.38	5330	
870.72	5330	
877.51	5330	
859.36	5330	
877.64	5330	
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877.78	5330	
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878.04	5335	
875.11	5335	
878.10	5335	

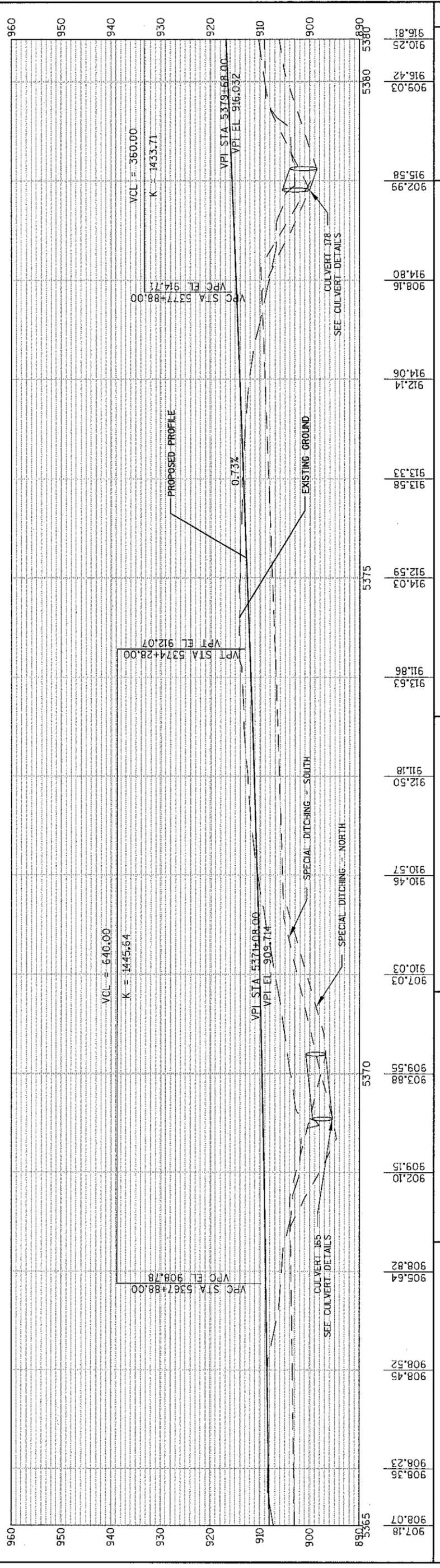
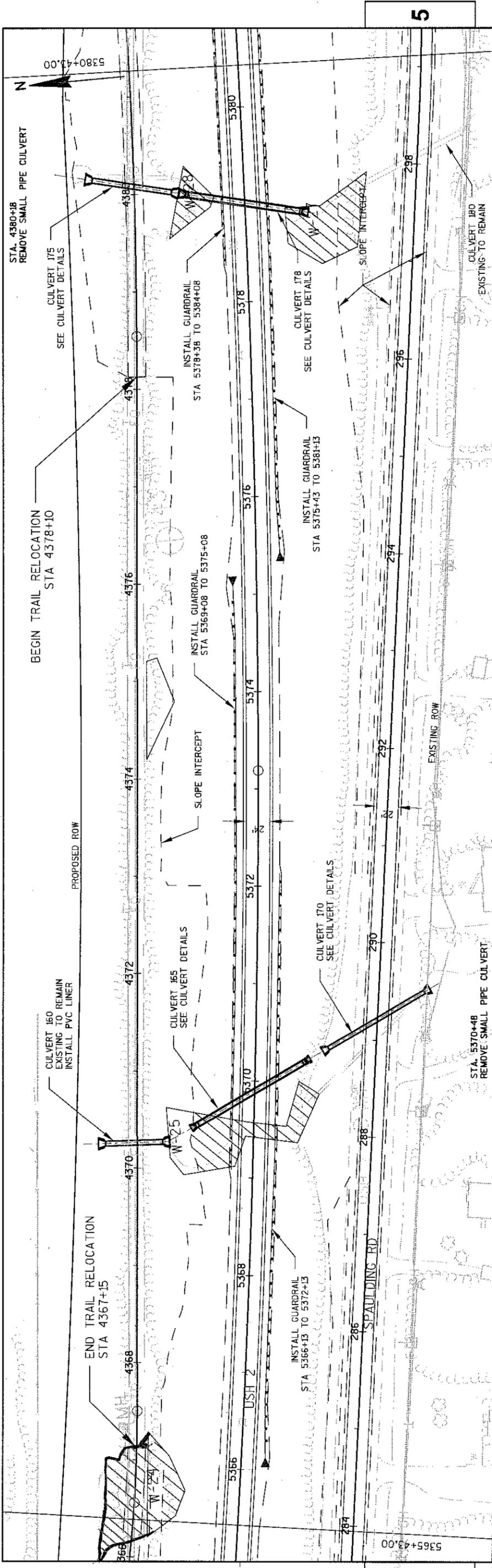


STATION	ELEVATION	STATION	ELEVATION
5335+43	875.11	5345+00	892.24
5336+00	874.37	5346+00	890.33
5337+00	878.31	5347+00	892.33
5338+00	860.82	5348+00	894.81
5339+00	878.51	5349+00	895.30
5340+00	879.02	5350+00	897.27
5341+00	867.75		897.91
5342+00	869.88		
5343+00	882.46		
5344+00	884.24		
5345+00	886.76		
5346+00	888.31		
5347+00	889.02		
5348+00	889.85		
5349+00	890.99		
5350+00	892.02		
	893.16		
	894.37		
	895.51		
	896.66		
	897.81		
	898.96		
	900.10		
	901.25		
	902.40		
	903.55		
	904.70		
	905.85		
	907.00		
	908.15		
	909.30		
	910.45		
	911.60		
	912.75		
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	917.35		
	918.50		
	919.65		
	920.80		

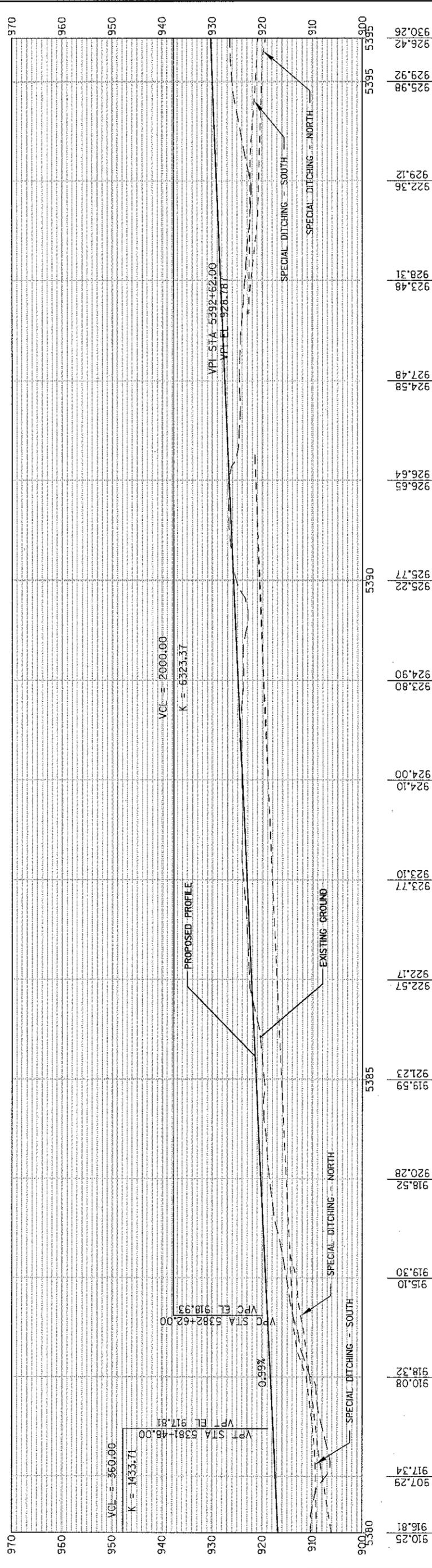
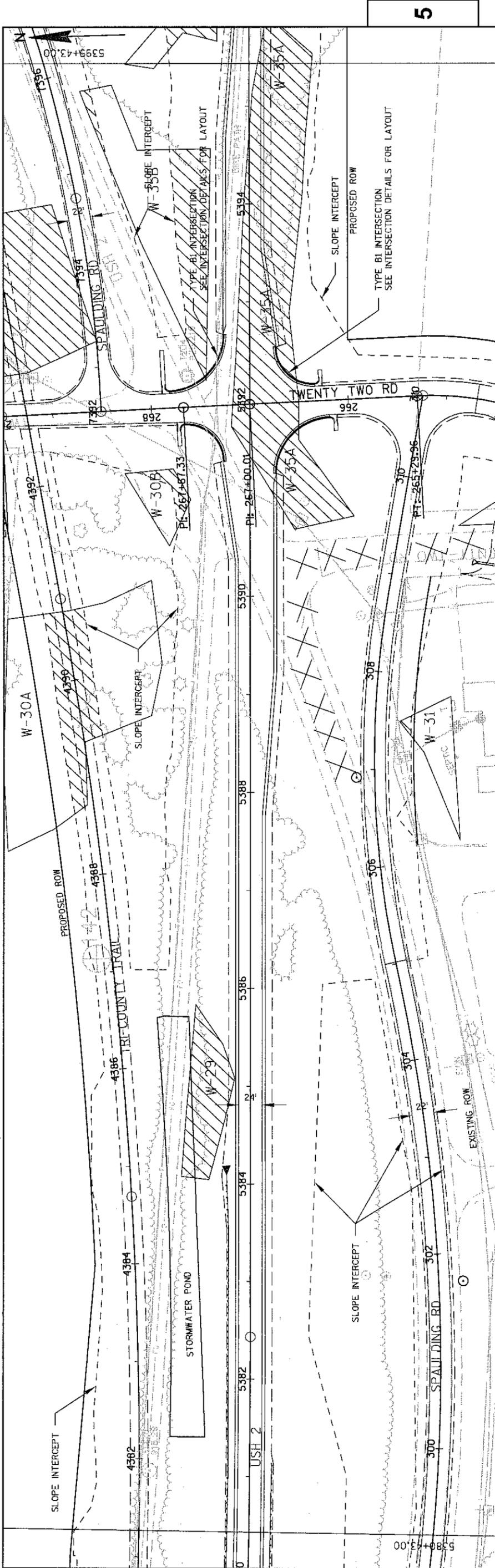
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 COUNTY: DOUGLAS
 HWY: USH 2
 PLAN AND PROFILE: 5335+00 - 5350+00
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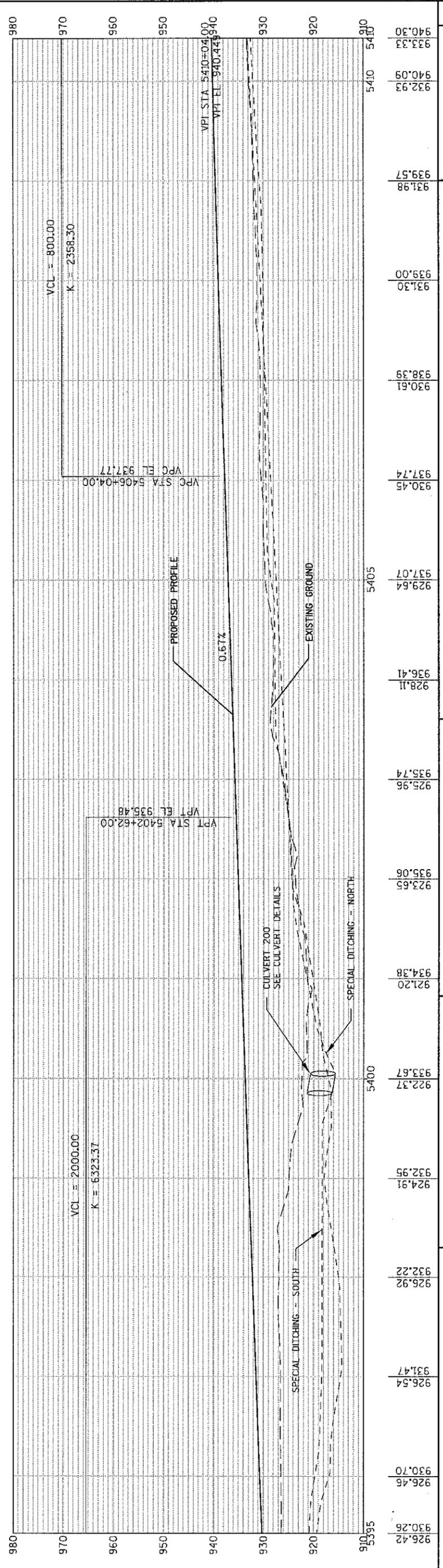
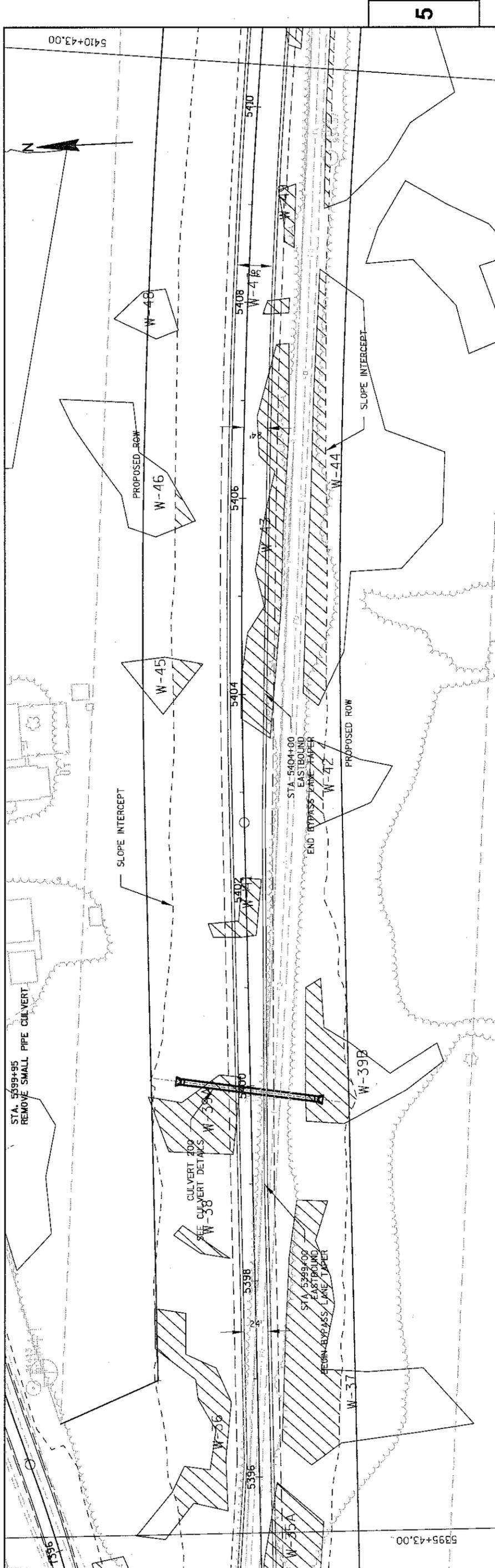
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STATION	ELEVATION
5365	907.18
5366	908.07
5367	908.36
5368	908.23
5369	908.52
5370	908.45
5371	908.82
5372	909.10
5373	909.15
5374	909.55
5375	903.58
5376	903.58
5377	907.03
5378	910.03
5379	910.46
5380	910.57
5381	911.18
5382	912.50
5383	911.86
5384	913.63
5385	911.86
5386	913.58
5387	913.33
5388	912.14
5389	914.06
5390	908.16
5391	914.80
5392	915.58
5393	916.42
5394	916.81
5395	916.25



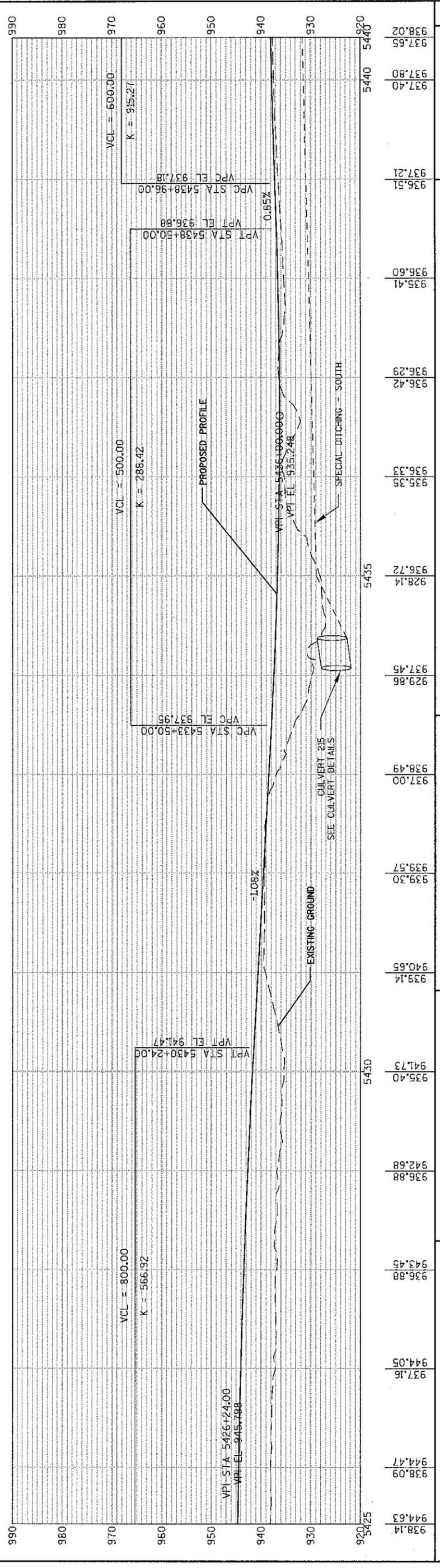
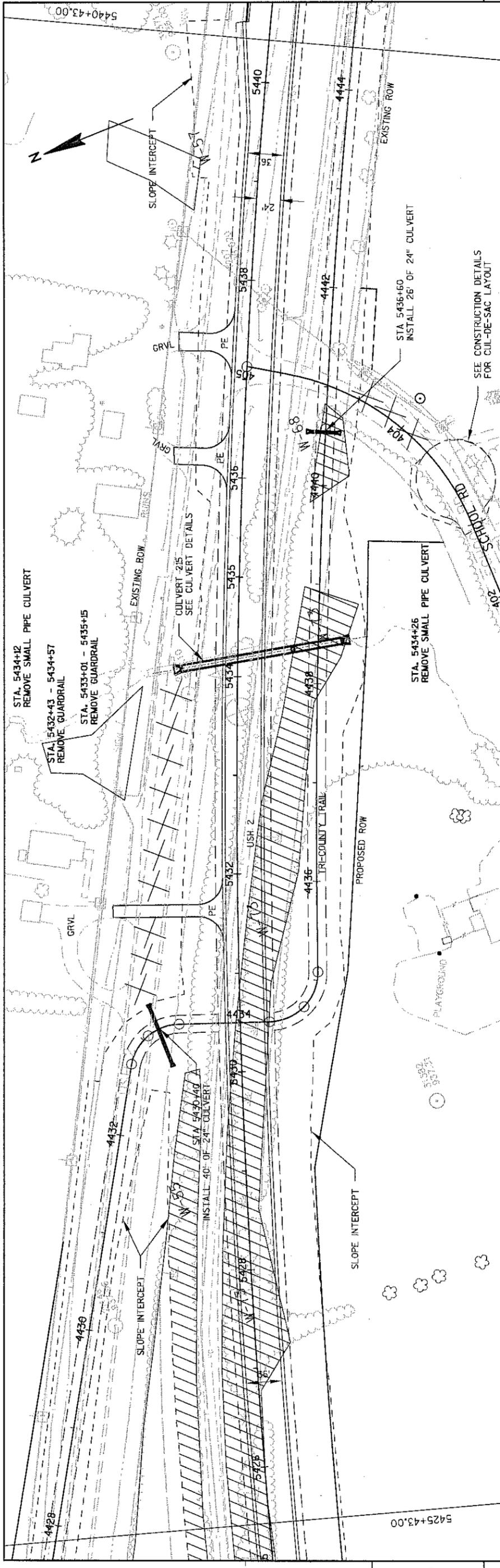
Station	Proposed Profile	Existing Ground
5380	910.25	916.81
5381	917.34	917.29
5382	918.32	918.08
5383	919.30	919.10
5384	918.52	920.28
5385	921.23	919.59
5386	922.17	922.57
5387	923.10	923.77
5388	924.00	924.10
5389	924.90	923.80
5390	925.77	924.90
5391	926.65	926.54
5392	927.48	924.58
5393	928.31	928.48
5394	929.12	922.36
5395	925.98	929.92
5396	926.42	930.26



STATION	ELEVATION
5395	926.42
5396	930.70
5397	926.46
5398	931.47
5399	926.92
5400	932.22
5401	924.91
5402	932.95
5403	922.37
5404	933.67
5405	921.20
5406	934.38
5407	923.65
5408	935.06
5409	925.96
5410	935.74
5411	928.11
5412	936.41
5413	929.64
5414	937.07
5415	930.45
5416	937.74
5417	930.61
5418	938.39
5419	939.00
5420	931.98
5421	939.57
5422	932.93
5423	940.09
5424	933.33
5425	940.30

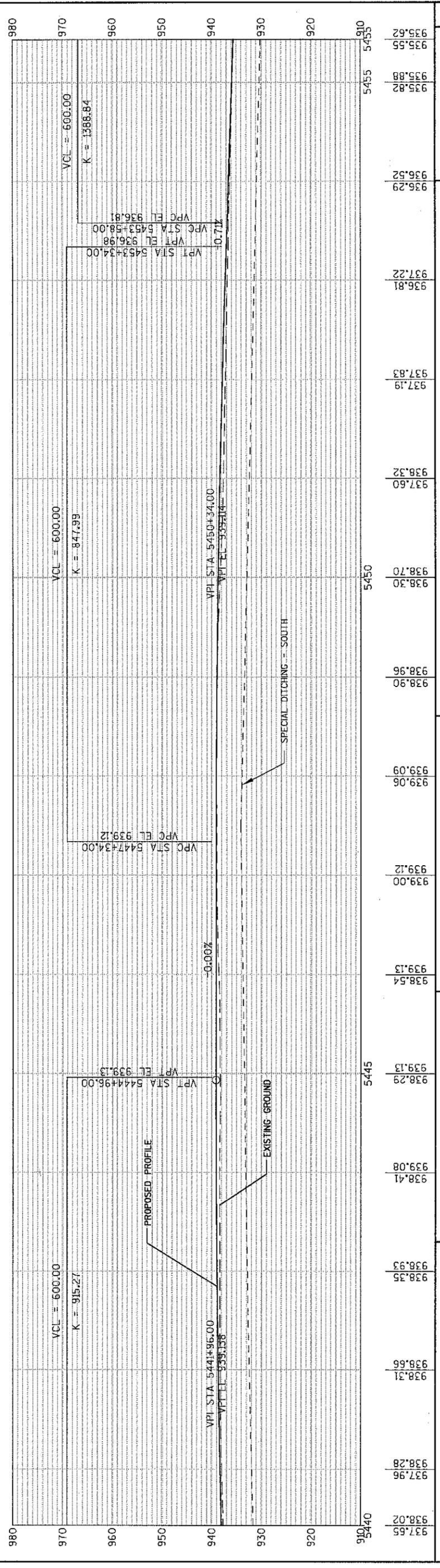
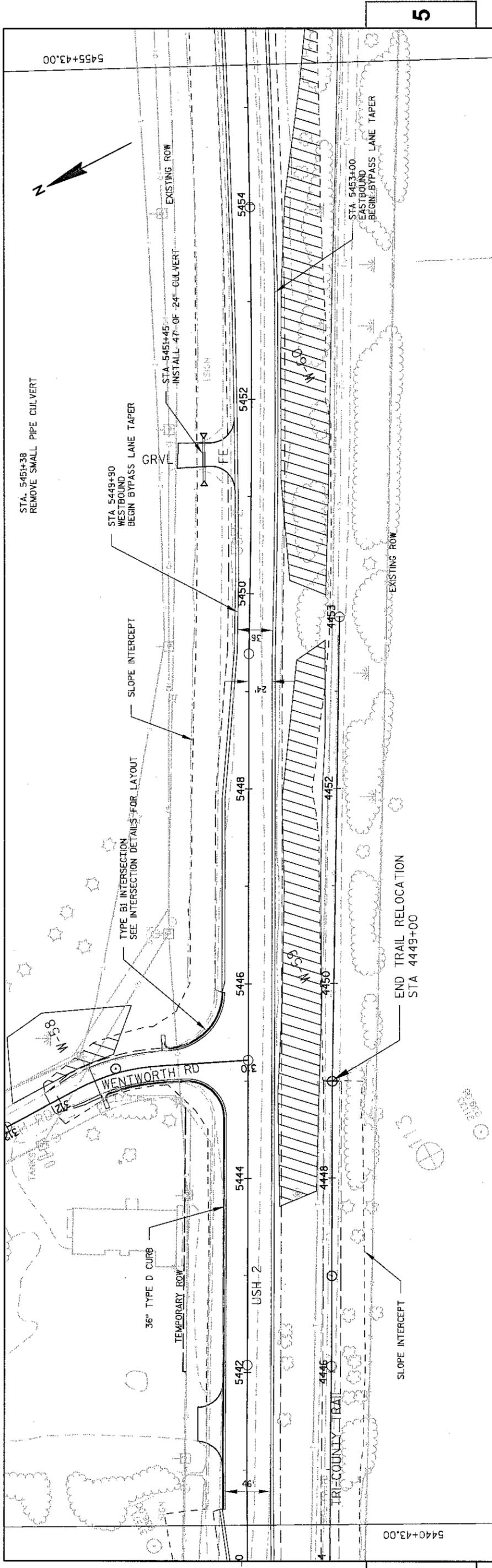
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 HWY: USH 2
 COUNTY: DOUGLAS
 PLAN AND PROFILE: 5395+00 - 5410+00
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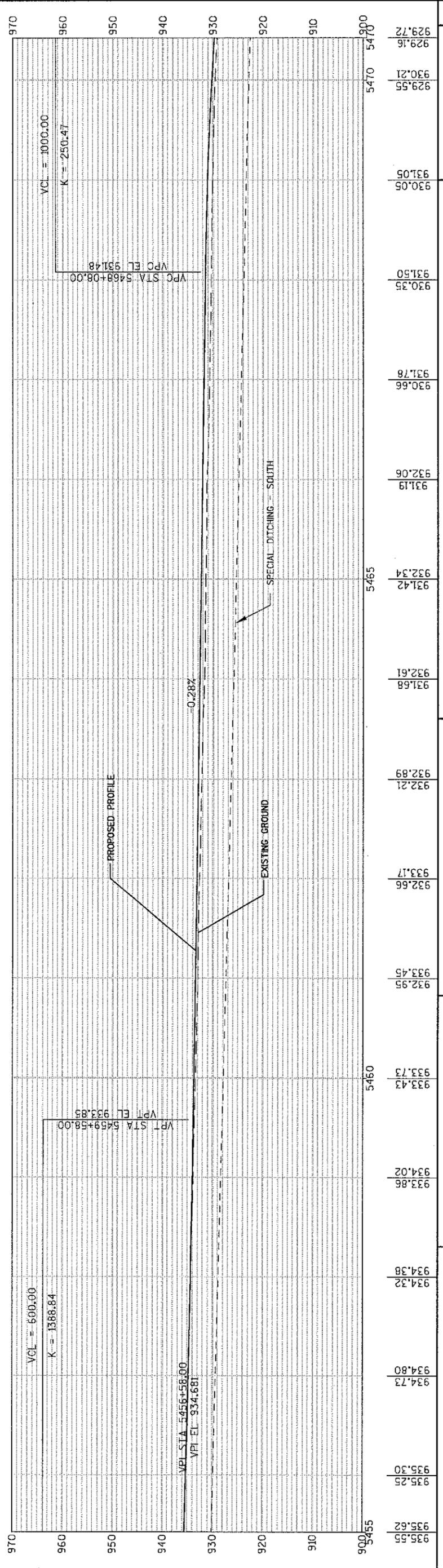
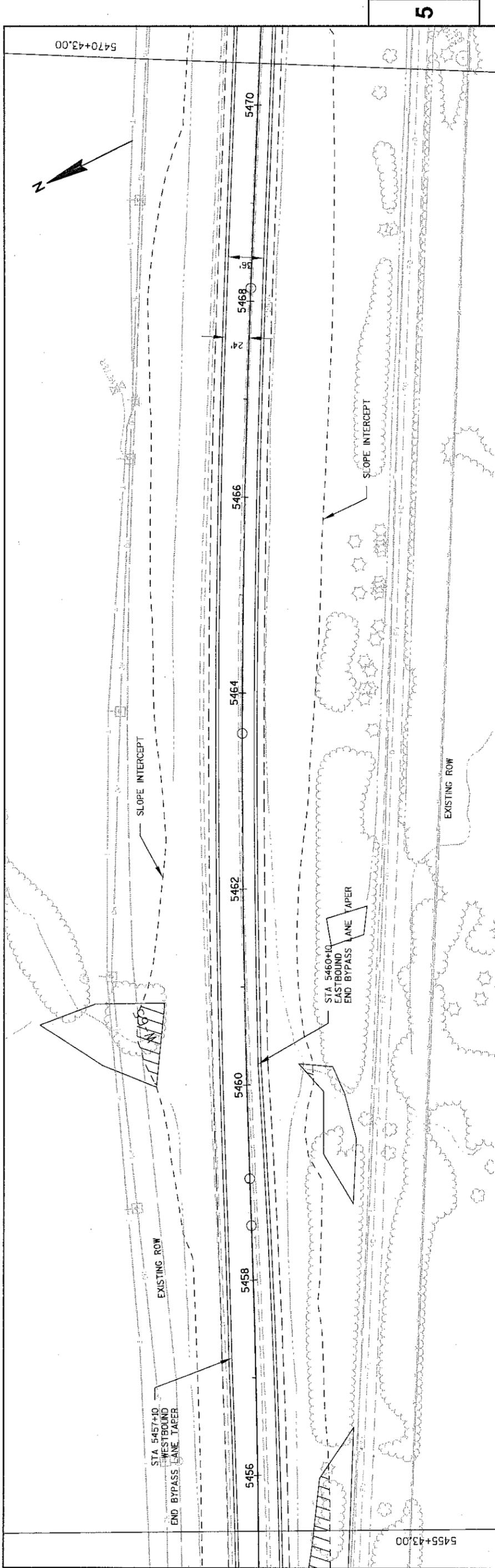


STATION	ELEVATION
938.14	5425
944.63	5425
938.09	5425
944.47	5425
937.16	5425
944.05	5425
937.88	5425
942.68	5425
935.40	5425
941.73	5425
939.14	5425
940.65	5425
939.30	5425
939.57	5425
937.00	5425
938.49	5425
929.86	5425
937.45	5425
928.14	5425
936.72	5425
935.35	5425
935.35	5425
936.42	5425
936.29	5425
935.41	5425
936.80	5425
936.51	5425
937.21	5425
937.40	5425
937.80	5425
938.02	5425

PROJECT NO: 1180-43-71
 COUNTY: DOUGLAS
 HWY: USH 2
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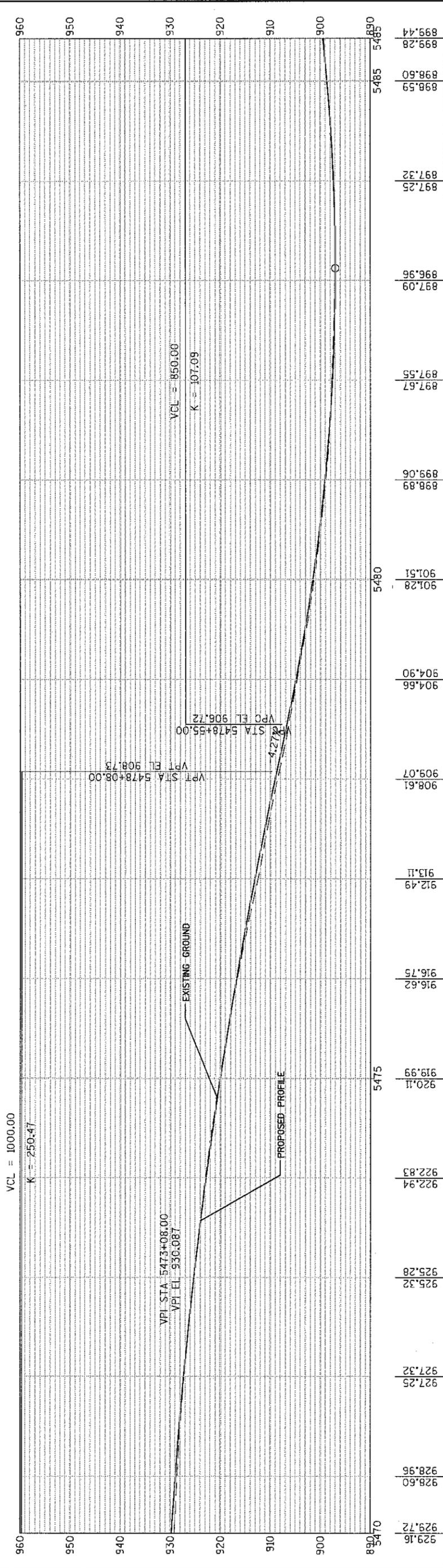
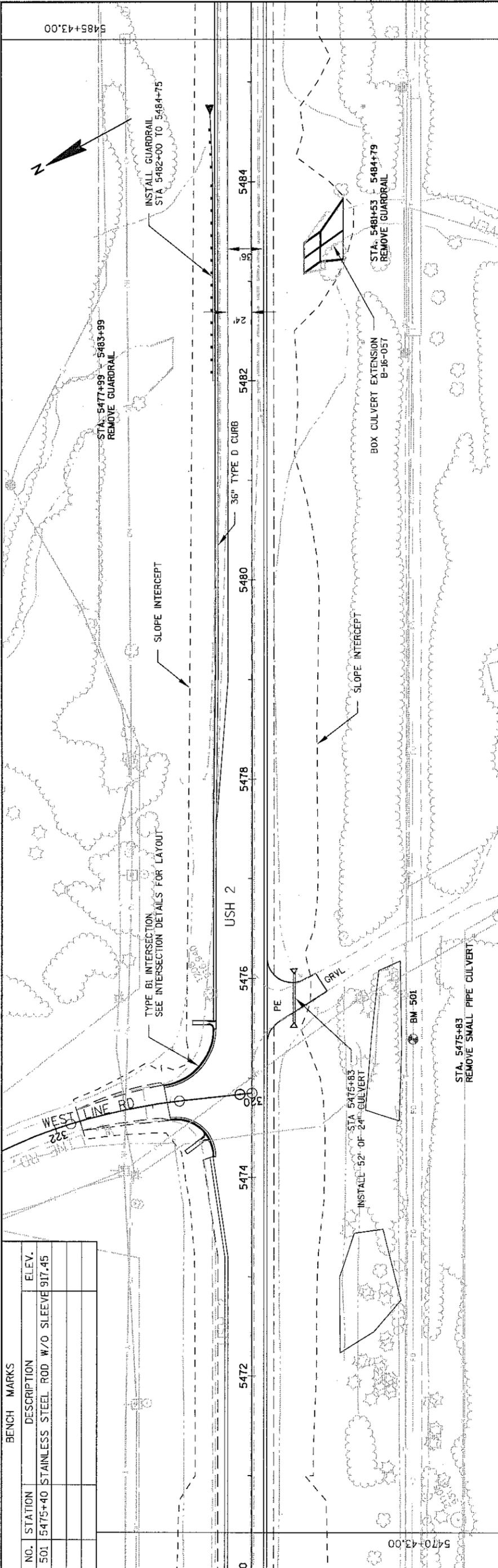


STATION	ELEVATION
5440	937.55
5441	938.02
5442	937.96
5443	938.28
5444	938.56
5445	938.41
5446	939.08
5447	938.29
5448	939.13
5449	938.54
5450	939.13
5451	939.00
5452	939.12
5453	939.06
5454	939.09
5455	938.96
5456	938.90
5457	938.70
5458	937.60
5459	938.32
5460	937.19
5461	937.83
5462	936.81
5463	937.22
5464	936.29
5465	936.52
5466	935.82
5467	935.88
5468	935.82
5469	935.55
5470	935.62

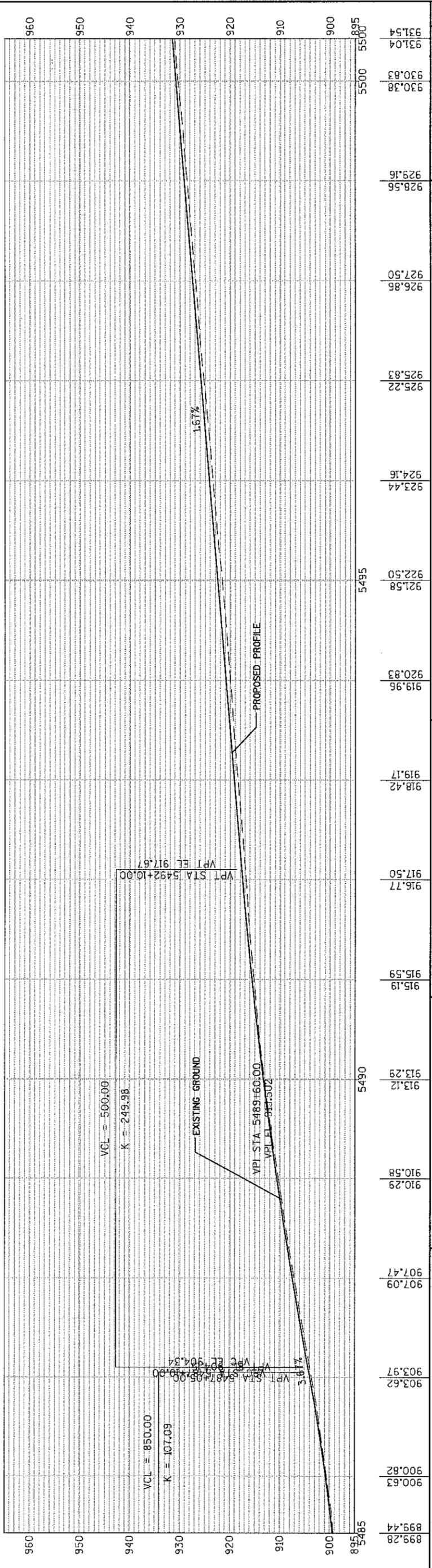
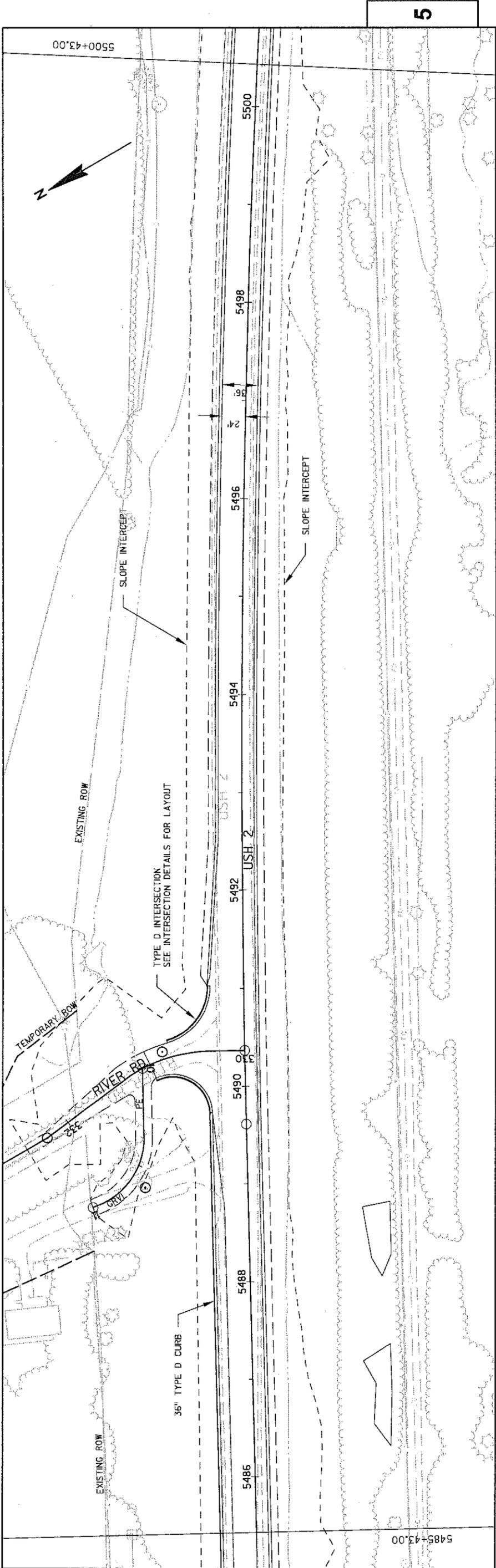


Station	Elevation
5455	925.55
5456	925.62
5457	925.25
5458	925.30
5459	924.73
5460	924.80
5461	924.32
5462	924.38
5463	924.32
5464	924.02
5465	923.86
5466	923.73
5467	923.43
5468	923.45
5469	922.66
5470	922.17
5471	922.21
5472	922.89
5473	922.21
5474	921.68
5475	922.61
5476	921.42
5477	922.34
5478	921.19
5479	922.06
5480	920.66
5481	921.78
5482	920.35
5483	931.50
5484	930.05
5485	931.05
5486	929.21
5487	929.16
5488	929.72

BENCH MARKS			
NO.	STATION	DESCRIPTION	ELEV.
501	5475+40	STAINLESS STEEL ROD W/O SLEEVE	917.45

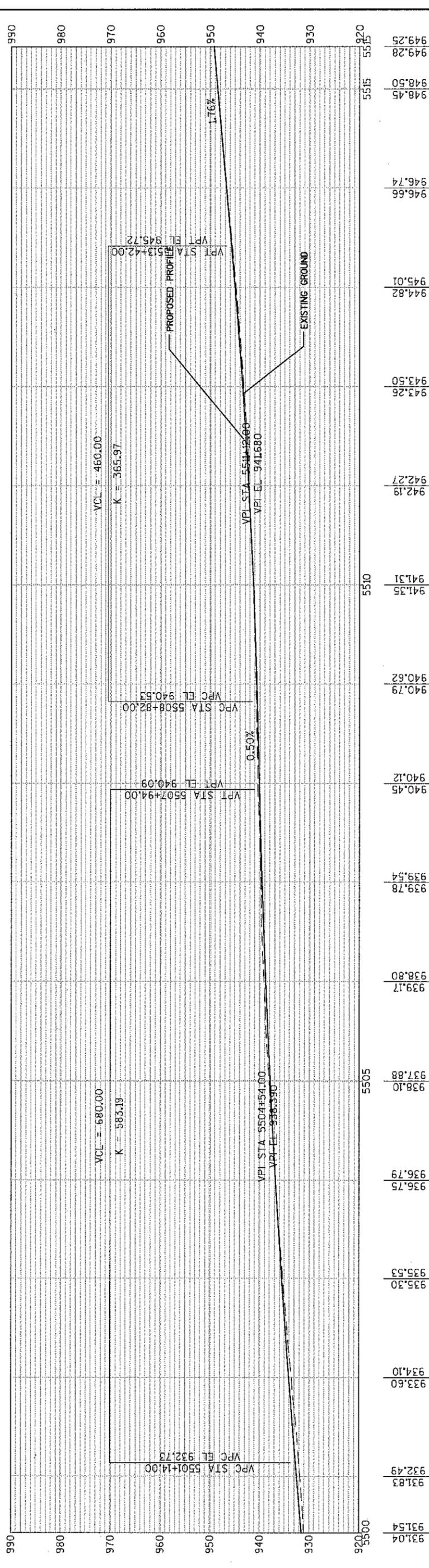
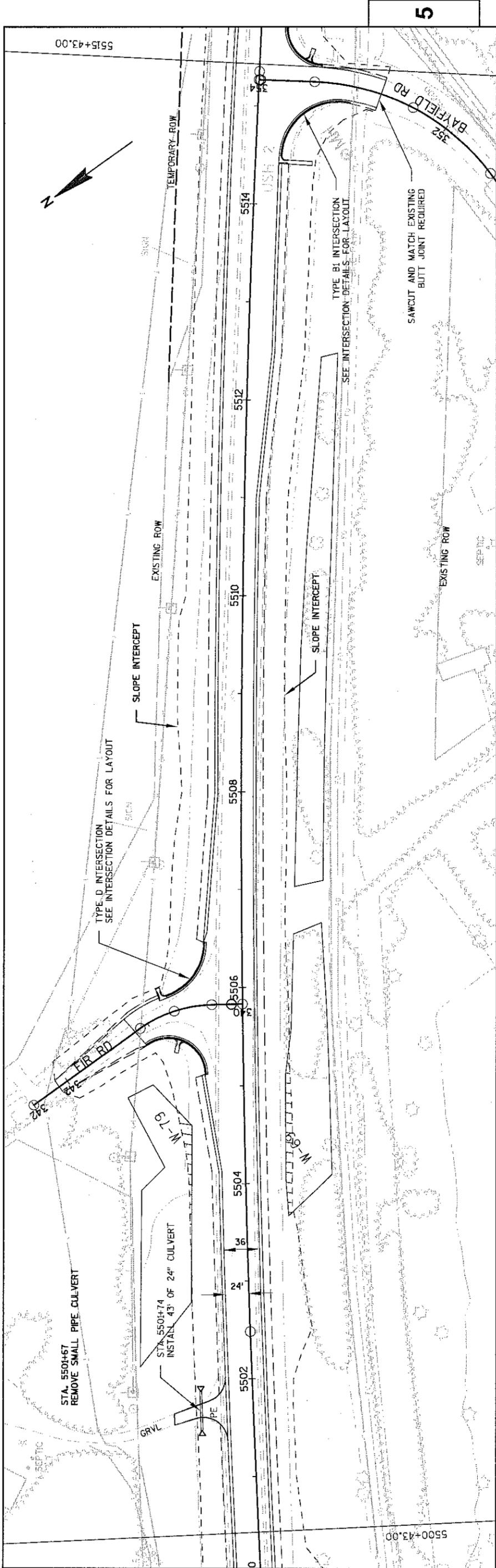


STATION	ELEVATION
5470	929.16
5471	929.72
5472	928.60
5473	925.32
5474	927.32
5475	922.83
5476	920.11
5477	919.99
5478	916.62
5479	916.75
5480	912.49
5481	913.11
5482	908.61
5483	909.07
5484	904.90
5485	904.66
5486	901.28
5487	901.51
5488	899.06
5489	897.55
5490	897.67
5491	897.25
5492	897.32
5493	898.59
5494	898.60
5495	899.44
5496	899.28

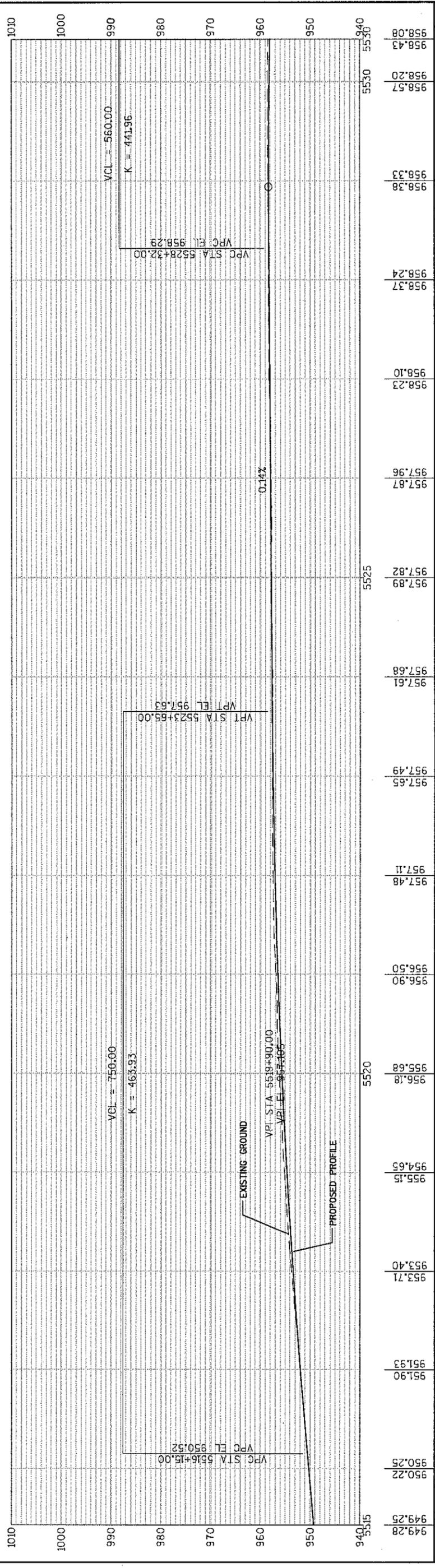
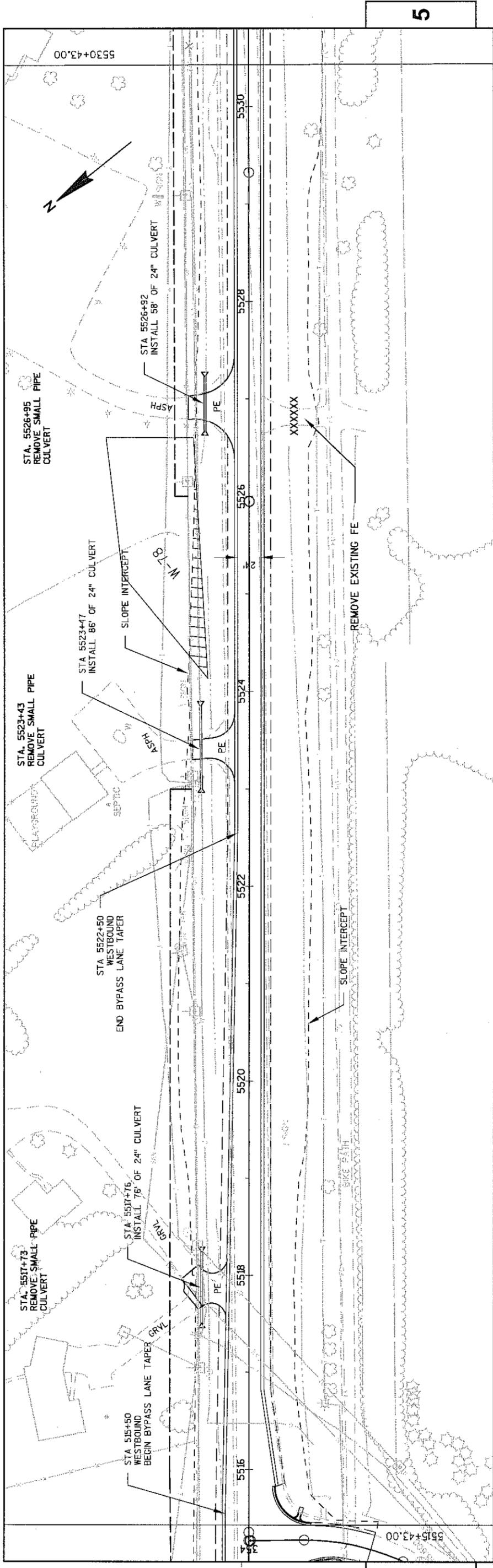


Station	Existing Elevation	Proposed Elevation
895	899.28	899.44
900	900.63	900.82
905	903.62	903.97
910	907.09	907.47
915	910.29	910.58
920	913.12	913.29
925	915.19	915.59
930	916.77	917.50
935	918.42	919.17
940	919.96	920.83
945	921.58	922.50
950	923.44	924.16
955	925.22	925.83
960	926.86	927.50
965	928.56	929.16
970	930.38	930.83
975	931.04	931.54

PROJECT NO: 1180-43-71
 COUNTY: DOUGLAS
 HWY: USH 2
 PLAN AND PROFILE: 5485+00 - 5500+00
 PLOT BY: PRANCE, JAMEY
 PLOT DATE: 12/5/2012 3:41 PM
 PLOT NAME: 2012-05654-WMS
 SHEET 5
 PLOT SCALE: 1:100_XREF
 Page 19 of 29

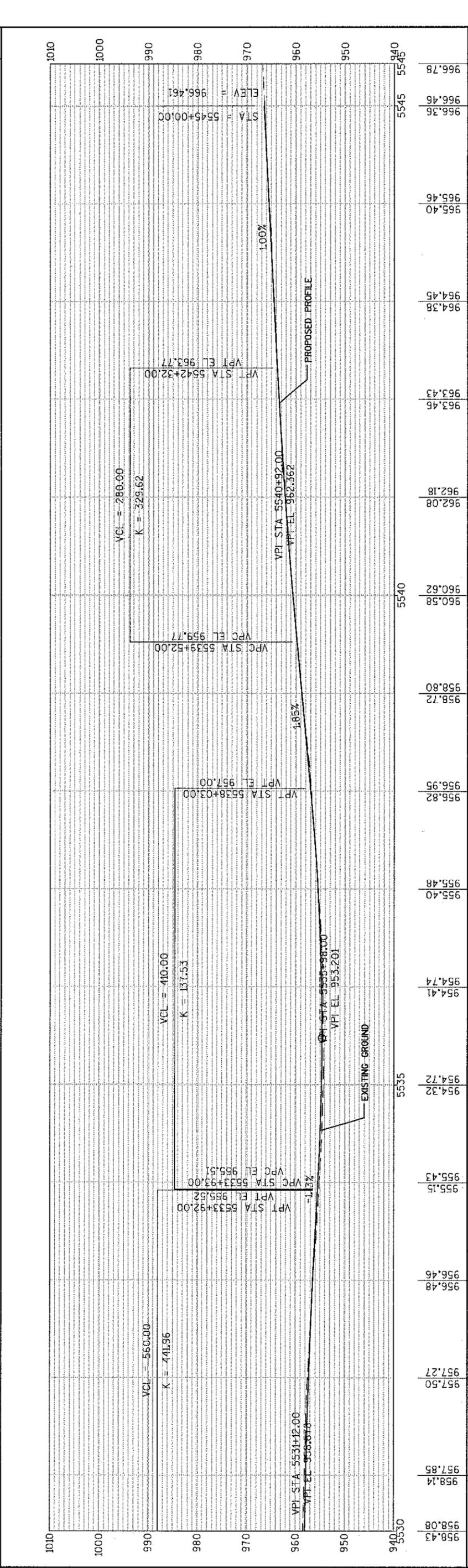
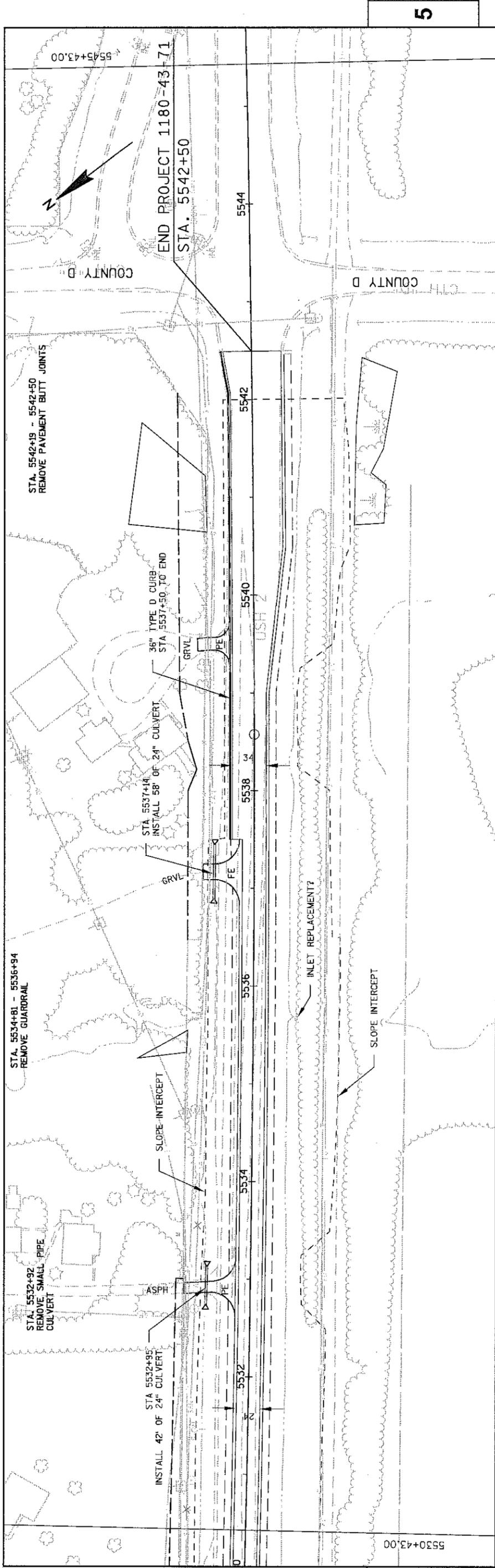


STATION	ELEVATION
5500	931.04
5500	931.54
5500	931.83
5500	932.49
5500	933.60
5500	934.10
5500	935.30
5500	935.53
5500	936.75
5500	936.79
5500	937.88
5500	938.10
5500	938.80
5500	939.17
5500	939.78
5500	939.78
5500	939.54
5500	940.45
5500	940.12
5500	940.79
5500	940.62
5500	941.31
5500	941.35
5500	942.27
5500	943.26
5500	943.50
5500	944.82
5500	945.01
5500	946.66
5500	946.74
5500	948.45
5500	948.50
5500	949.25
5500	949.25

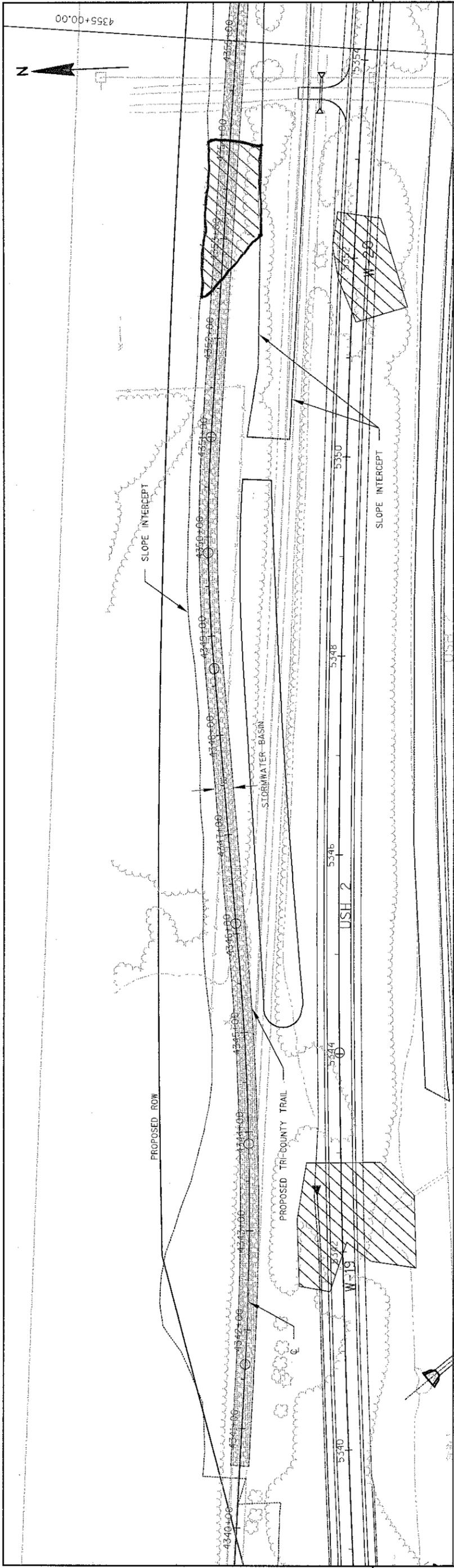


STATION	ELEVATION
5515	949.28
5516	950.25
5517	951.93
5518	953.40
5519	954.65
5520	955.68
5521	956.50
5522	957.11
5523	957.49
5524	957.61
5525	957.82
5526	957.87
5527	957.96
5528	958.10
5529	958.24
5530	958.33
5531	958.43
5532	958.57
5533	958.70
5534	958.80

PROJECT NO: 1180-43-71
 HWY: USH 2
 COUNTY: DOUGLAS
 PLAN AND PROFILE: 5515+00 - 5530+00
 SHEET E

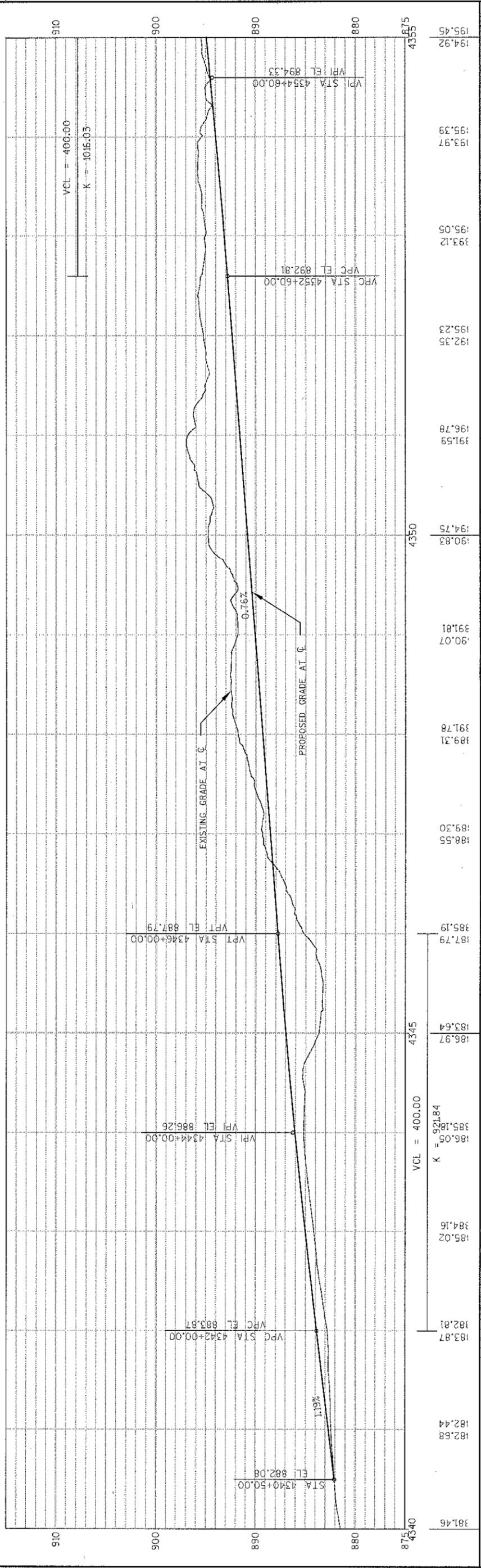


STATION	ELEVATION
5530	958.43
5531	958.08
5532	958.14
5533	957.85
5534	957.50
5535	957.27
5536	956.48
5537	956.46
5538	955.43
5539	954.72
5540	954.32
5541	954.74
5542	955.40
5543	955.48
5544	956.82
5545	958.80
5546	958.72
5547	958.80
5548	958.80
5549	958.80
5550	958.80
5551	958.80
5552	958.80
5553	958.80
5554	958.80
5555	958.80
5556	958.80
5557	958.80
5558	958.80
5559	958.80
5560	958.80
5561	958.80
5562	958.80
5563	958.80
5564	958.80
5565	958.80
5566	958.80
5567	958.80
5568	958.80
5569	958.80
5570	958.80
5571	958.80
5572	958.80
5573	958.80
5574	958.80
5575	958.80
5576	958.80
5577	958.80
5578	958.80
5579	958.80
5580	958.80
5581	958.80
5582	958.80
5583	958.80
5584	958.80
5585	958.80
5586	958.80
5587	958.80
5588	958.80
5589	958.80
5590	958.80
5591	958.80
5592	958.80
5593	958.80
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5596	958.80
5597	958.80
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5599	958.80
5600	958.80



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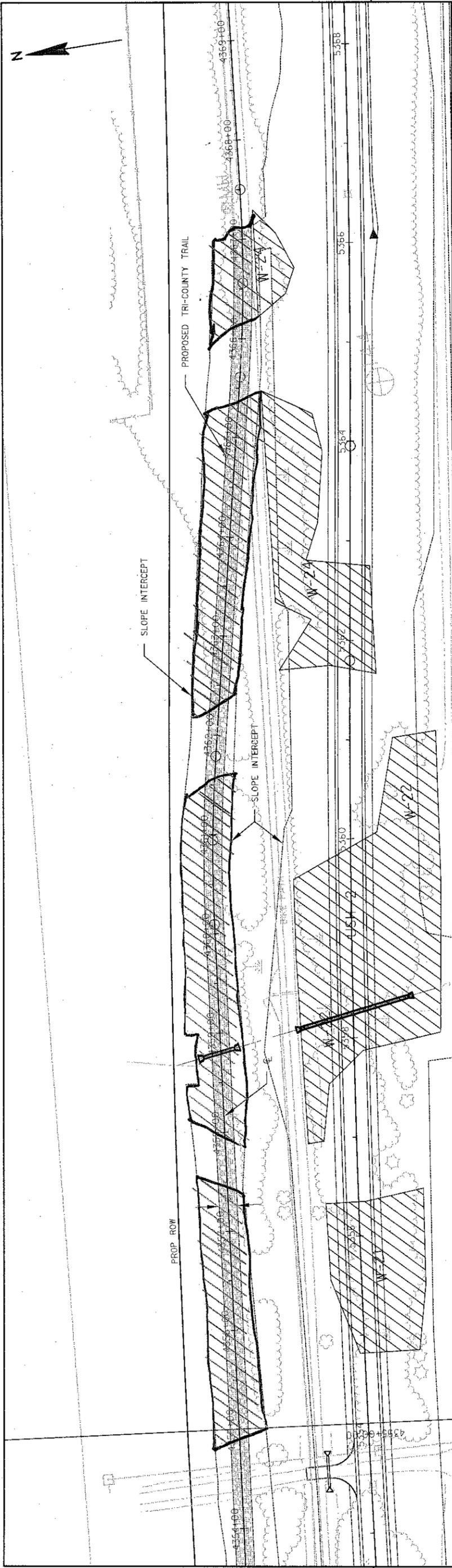
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PROJECT NO: 1180-43-71 COUNTY: DOUGLAS PLAN & PROFILE: TRI-COUNTY TRAIL SHEET E

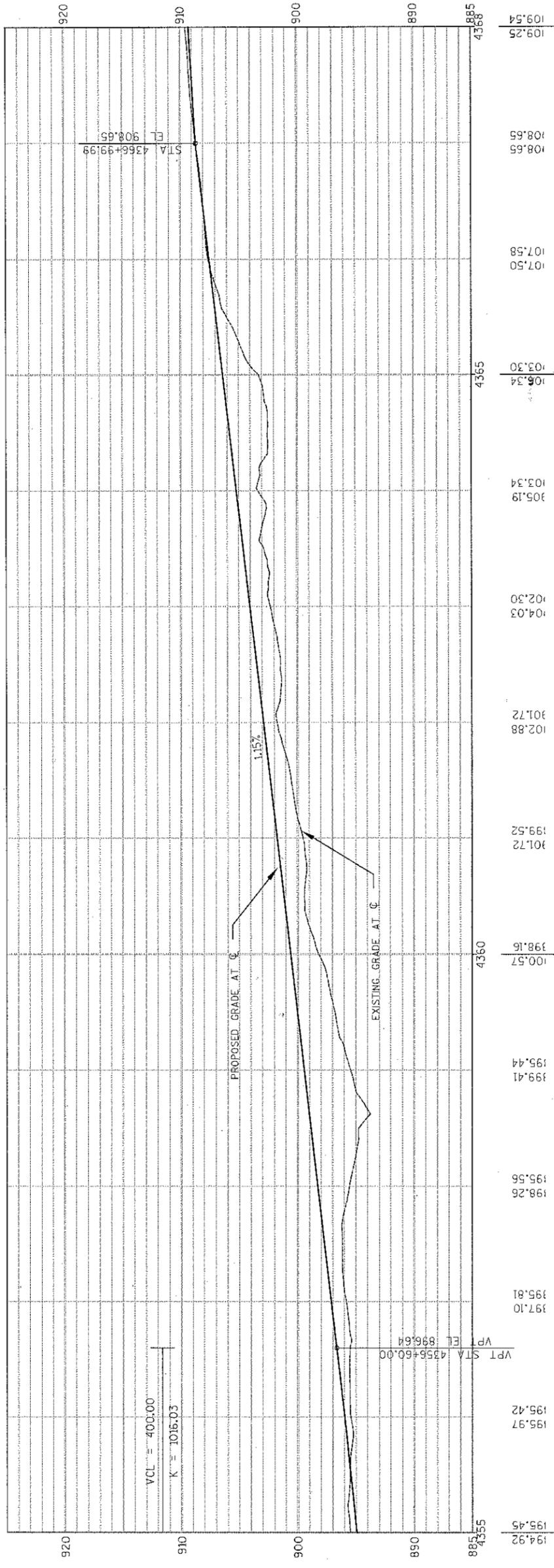
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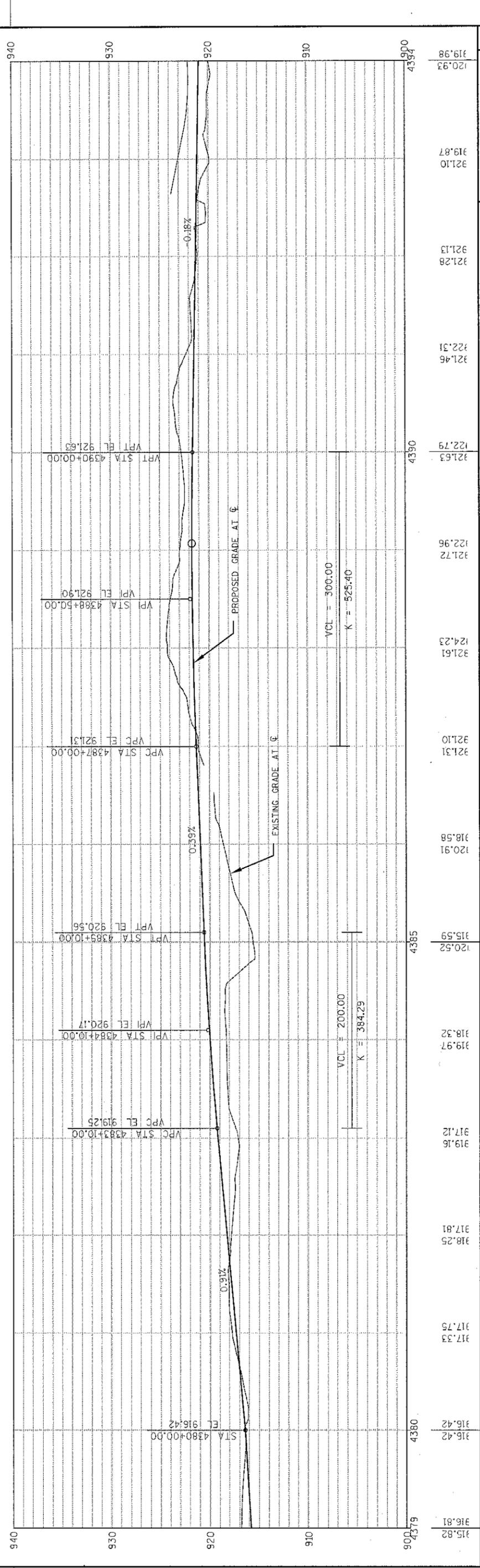
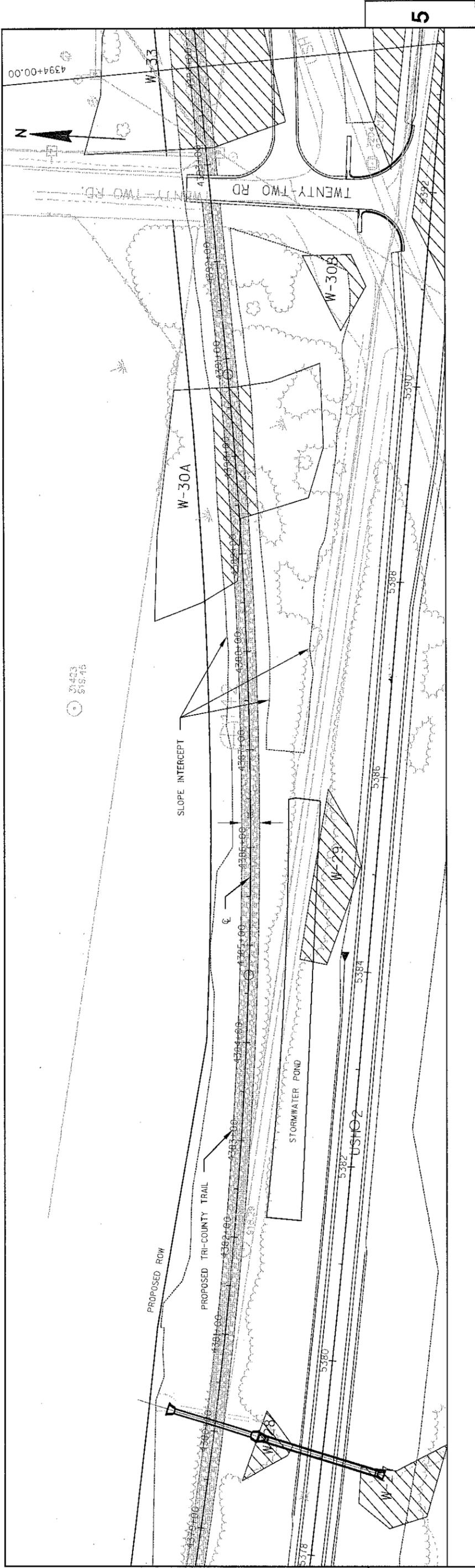
Station	Existing Grade (EL)	Proposed Grade (AT G)
4340	881.46	881.46
4341	882.44	882.44
4342	883.87	883.87
4343	884.16	884.16
4344	885.05	885.05
4345	885.18	885.18
4346	885.19	885.19
4347	885.55	885.55
4348	889.31	889.31
4349	891.78	891.78
4350	890.07	890.07
4351	891.81	891.81
4352	890.83	890.83
4353	892.35	892.35
4354	893.12	893.12
4355	894.45	894.45

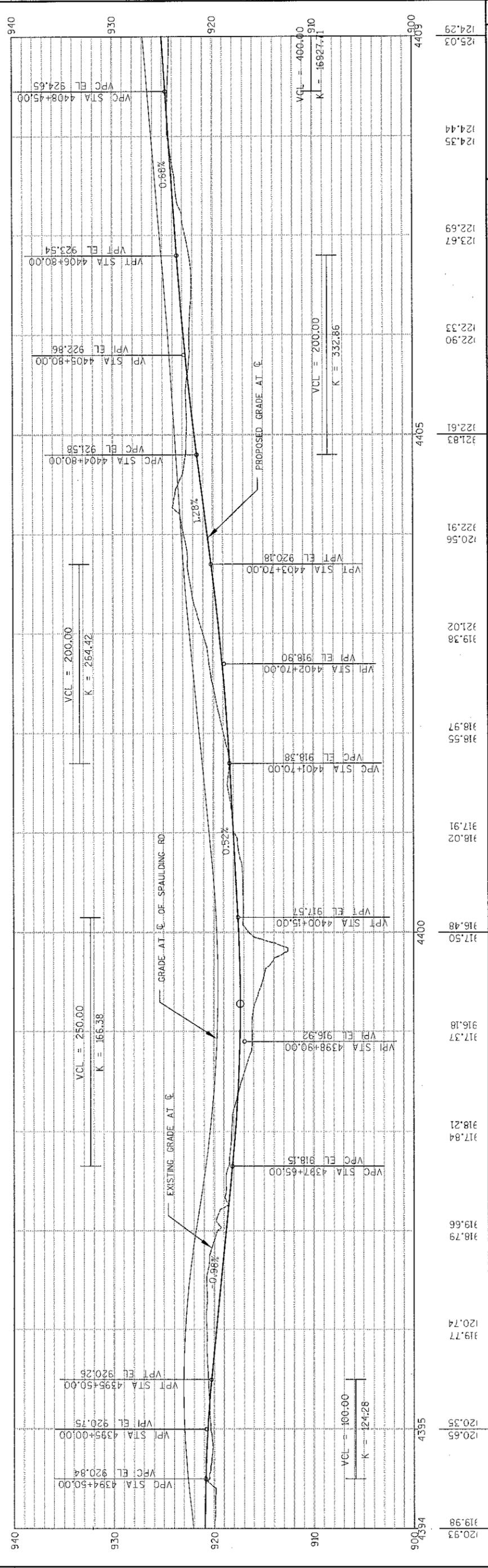
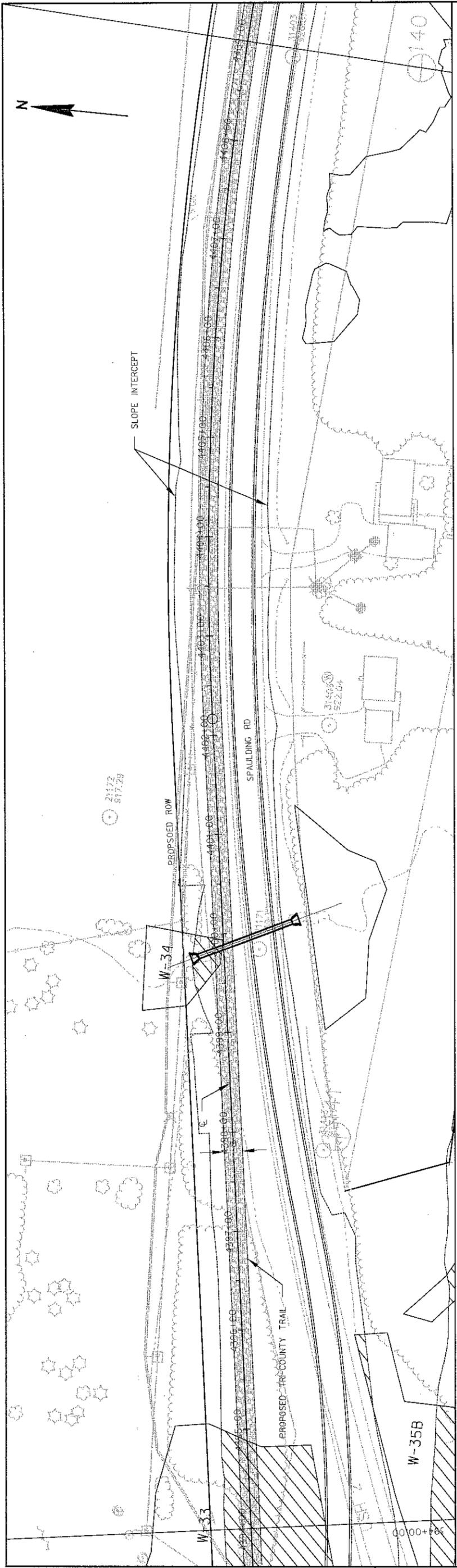


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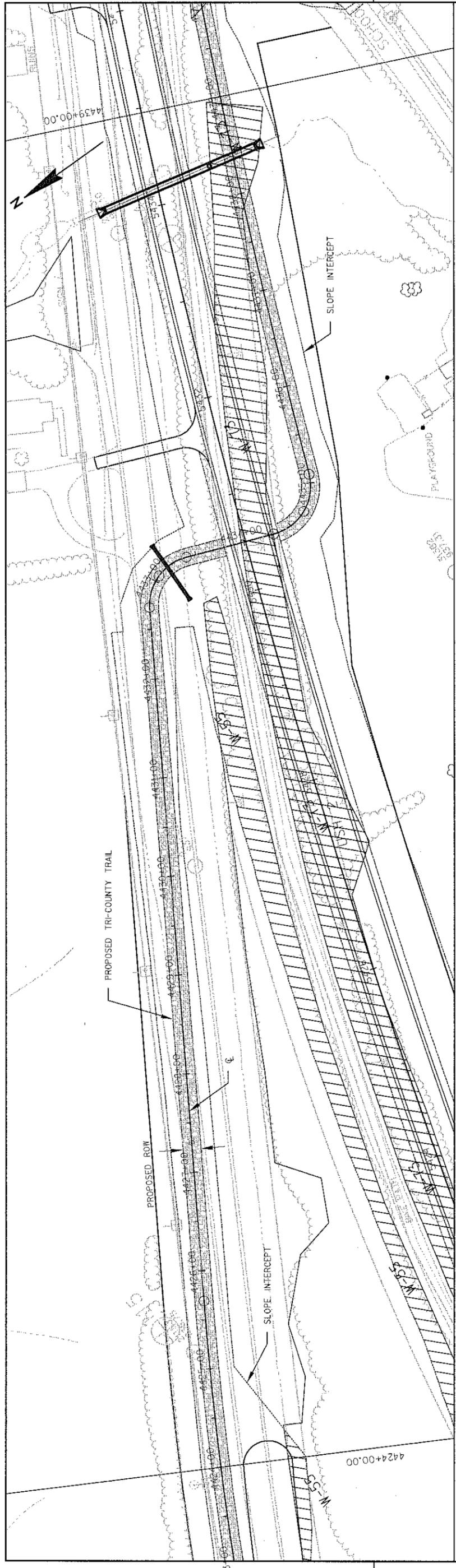
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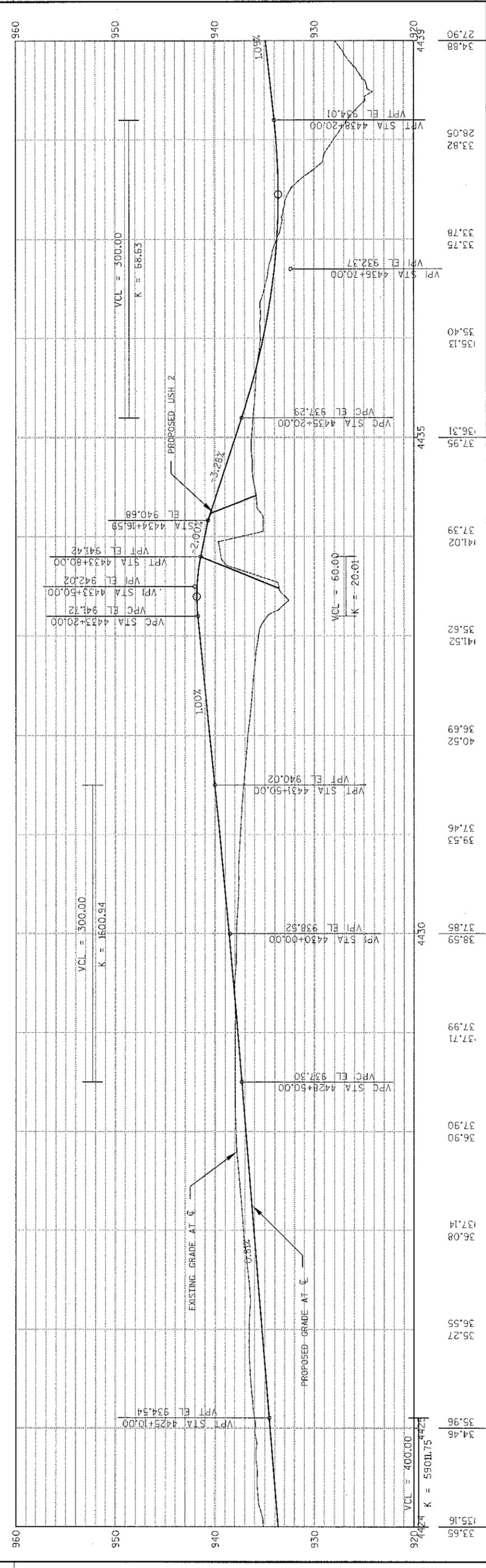


PROJECT NO: 1180-43-71 COUNTY: DOUGLAS HWY: USH 2 PLAN & PROFILE: TRI-COUNTY TRAIL SHEET E



5

5



PROJECT NO: 1180-43-71 COUNTY: DOUGLAS HWY: USH 2 PLAN & PROFILE: TRI-COUNTY TRAIL SHEET E

