

Information for File # 2013-00762-LED

Applicant	Lake County Highway Department
Corps Contact	Leslie Day
Address	1554 Highway 2, Suite 2 Two Harbors, Minnesota 55616
E-Mail	leslie.e.day@usace.army.mil
Phone	651-290-5693
Primary County	Lake County
Section	SW ¼ Section 36
Township	T. 53N.
Range	R. 11W.
Information Complete On	March 4, 2013
Posting Expires On	March 18, 2013
Authorization Type	LOP-05-MN

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

Background:

The applicant is proposing to construct a number of multi-use trails within the City of Two Harbors in three phases. When complete, a total of thirteen trail segments totaling 3.86 miles would be constructed alongside roadways within the city. The trails would be located primarily within road right-of-ways. Phase I has been completed, resulting in the construction of trails along and to the west of CSAH 26. See Figure 9 attached.

Phases I, II and III were designed to create an independent bikeway/walkway which would provide interconnectivity within the city. The larger trail project is intended to:

- 1) Assist children and community members in accessing schools.
- 2) Connect neighborhoods within the city and provide connections to parks and recreation areas.
- 3) Connect people to the downtown business area and waterfront.
- 4) Provide a seamless connection to the Gitchi-Gami State Trail and the Northshore Scenic Highway.

Project Description and Purpose:

The proposed Phase II project would involve the construction of a 1,150 linear foot segment of the trail system from the existing Phase I trail constructed along the east side of CSAH 26 to the existing sidewalk system on 10th Avenue. Phase II would involve the construction of a box culvert underpass beneath the existing railroad tracks. An underpass is required at this location due to existing grades and safety concerns associated with an uncontrolled railroad crossing. The proposed trail design includes a 10-foot-wide bituminous surface; 2-foot-wide grass shoulders; 3V:1H inslopes; and may involve the construction of ditches and along the trail.

From the information provided in the application, the Corps has determined that the basic purpose of the project is to provide a multi-use, non-motorized public trail system within the City of Two Harbors, Minnesota. The overall purpose of the project is to provide safe, public access to a multi-use, non-motorized public trail system within the City of Two Harbors, Minnesota.

The applicant has stated that without the proposed project, pedestrians and bicyclists would be required to use the existing city roadway network, much of which cannot safely accommodate such traffic due to lack of shoulder width and paving. Partial funding for the project has been provided by the State Transportation Improvement Program (STIP). Therefore, the trail must meet State Aid Design Standards. The project was designed in accordance with the Minnesota Bicycle Transportation and Design guidelines, State Aid Minimum Bicycle Path Standards (Minn. Rule 8820.9995), and applicable AASHTO standards. The CN underpass was designed in accordance with AREMA specifications.

Alternatives:

1. Alternative 1, No Build: Under the no build alternative, Phase II would not be constructed, eliminating access to the residential neighborhood from the larger city trail system. Instead, pedestrians and bicyclists would continue to use existing sidewalks where available and use road shoulders where not available. The no build alternative was dismissed as it would not meet the overall project purpose of providing safe, public access to a multi-use, non-motorized public trail system within the City of Two Harbors.
2. Alternative 2, Original Trail Alignment Alternatives: The construction of the Phase II corridor within the existing 30-foot-wide utility easement (south of the

proposed alignment) was originally considered as it would avoid impacts to native undisturbed wetlands and instead result in impacts to previously cleared wetlands. This alternative would have resulted in similar impacts to Alternative 3; however, this alternative would have required that the applicant shift an existing railroad building, would have created a blind curve in the trail, would have encountered a large buried gas utility line, and would have required the applicant to obtain an easement across private property (this was explored but the owner would not grant an easement). This alternative was dismissed as a result of these design conflicts.

3. Alternative 3, Trail Construction Alternative (preferred): See the Project Description and Purpose section above.

Name, Area and Types of Waters (Including Wetlands) Subject to Loss:

The Phase II trail construction would result in the discharge of dredge or fill material in 0.72 acres of coniferous swamp (Type 7) wetlands. A revised plan view map identifying the delineated wetland boundaries and all culvert locations has been requested of the applicant. The project would not involve the mechanized and non-mechanized removal of vegetation beyond the project's proposed fill footprint.

From the typical cross-section provided, the project may involve the construction of ditches and along the trail. A complete set of cross-sections has been requested of the applicant. Once received, the Corps will evaluate the project's potential for resulting in the lateral drainage effect to waters of the United States.

Project Involves:

The project is located within the 2009 designated critical habitat area of Canada lynx, a federally-listed threatened species.

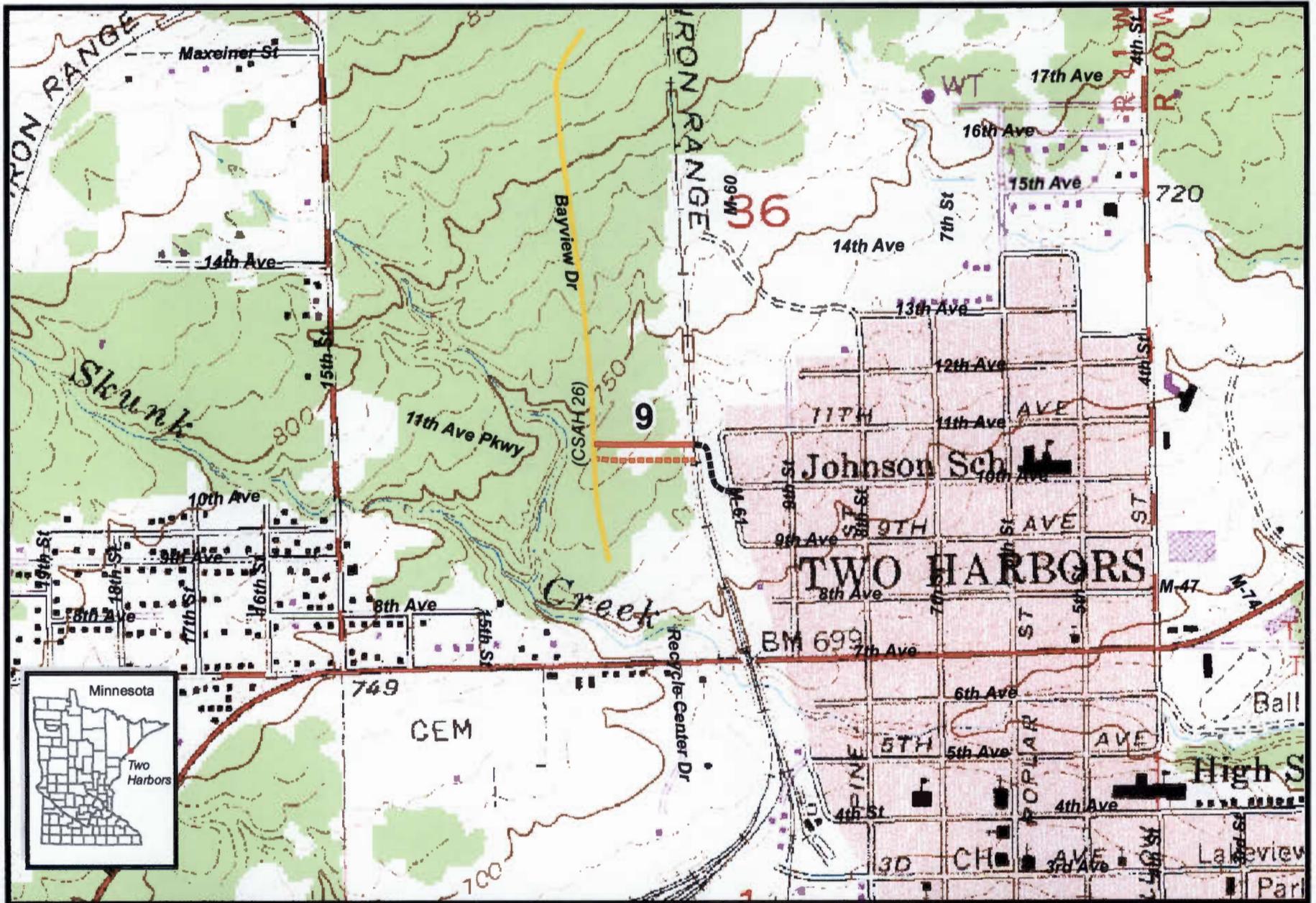
The project is located within the 1854 Ceded Territory as determined by the Treaty of 1854.

Compensatory Mitigation:

Compensatory mitigation for the permanent impacts to 0.72 acres of wetlands would be required. At this time, the applicant is evaluating available compensatory mitigation options within Bank Service Areas (BSA) 1 2. A compensatory mitigation proposal would be submitted for Corps review and approval prior to reaching a permit decision.

Drawings See attached.

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Data Source: Bing aerial photography

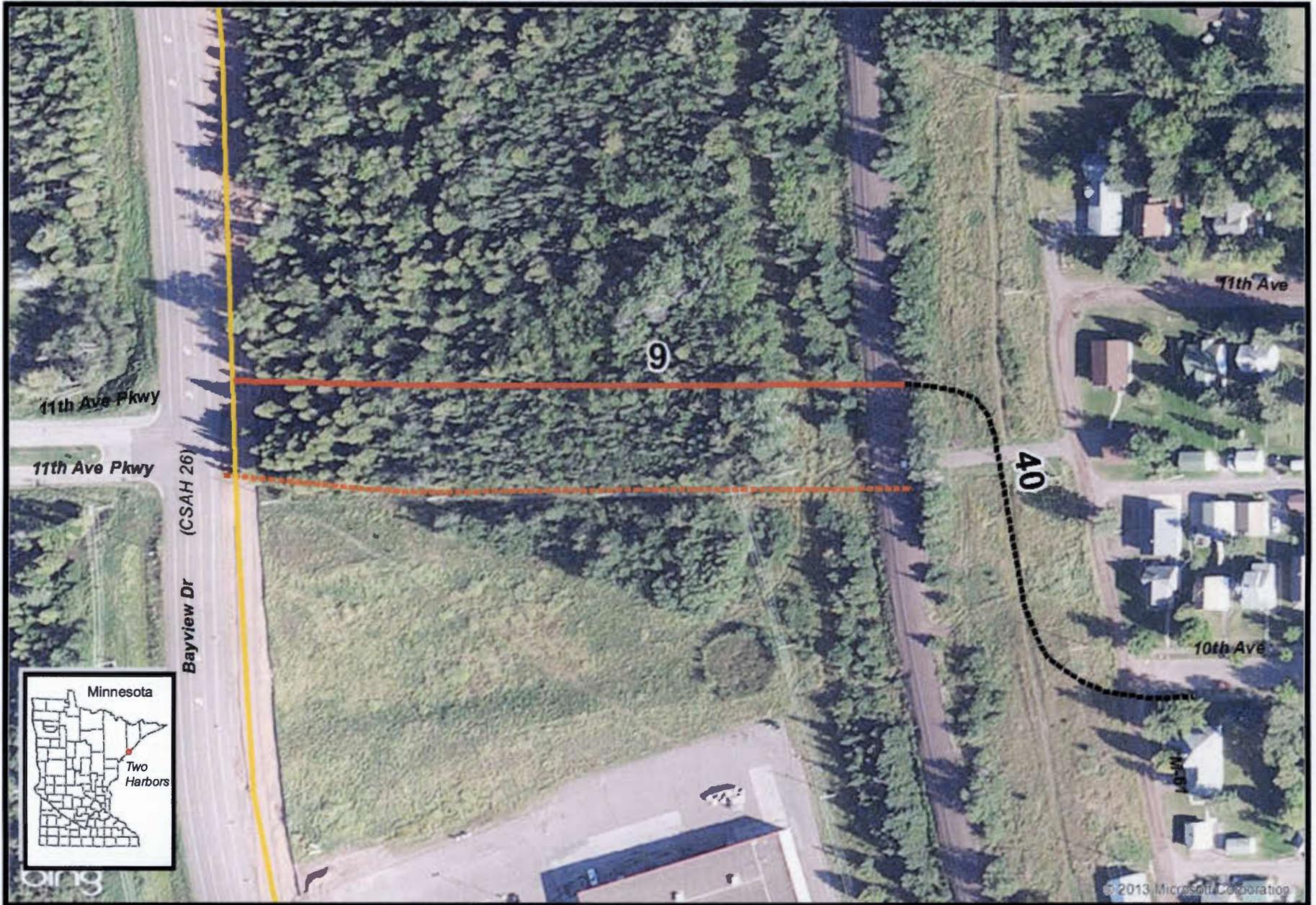
2013-00762-LED
Drawing 1 of 9

**Two Harbors Trail System
Project Memorandum Addendum**

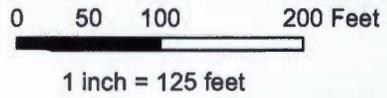
S.P. 38-090-04
Two Harbors, Lake County
Minnesota

Figure 1

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- Trail Segment 9 - NORTH
- - - Trail Segment 40 - CONNECTOR
- Trail - Completed
- - - Prior Segment 9 location



**Two Harbors Trail System
Project Memorandum Addendum**
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Two Harbors, Lake County
Minnesota

Figure 2

Data Source: Bing aerial photography



11th AVENUE

BAYVIEW DRIVE (CSAH 26)

9th STREET

10th AVENUE

9th AVENUE

WISCONSIN CENTRAL LTD



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DR BY	II CHAPMAN	JOB NO	27-0146-00						
CHK BY	T PFEFFER	DATE	JANUARY 2013		NO	DATE	REVISION	NO	DATE

TWO HARBORS TRAIL
S.P. 38-090-04



Alignment Options and Ownership Map

DRAWING NO
Figure 3
SHEET NO



11th AVENUE

BAYVIEW DRIVE (CSAH 26)

10th AVENUE

9th STREET

9th AVENUE

WISCONSIN CENTRAL LTD

AREA #4R1

AREA #4R2

AREA #4R3

30' UTILITY EASEMENT

30' UTILITY EASEMENT

500+00

SCALE IN FEET
0 50 100

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DES BY S CHAPMAN	BOOK NO 1	NOT - FOR - CONSTRUCTION	NO	DATE	REVISION	NO	DATE	REVISION
DR BY S CHAPMAN	JOB NO 27-4-148.00							
CHK BY T PEPPER	DATE JANUARY 2013							

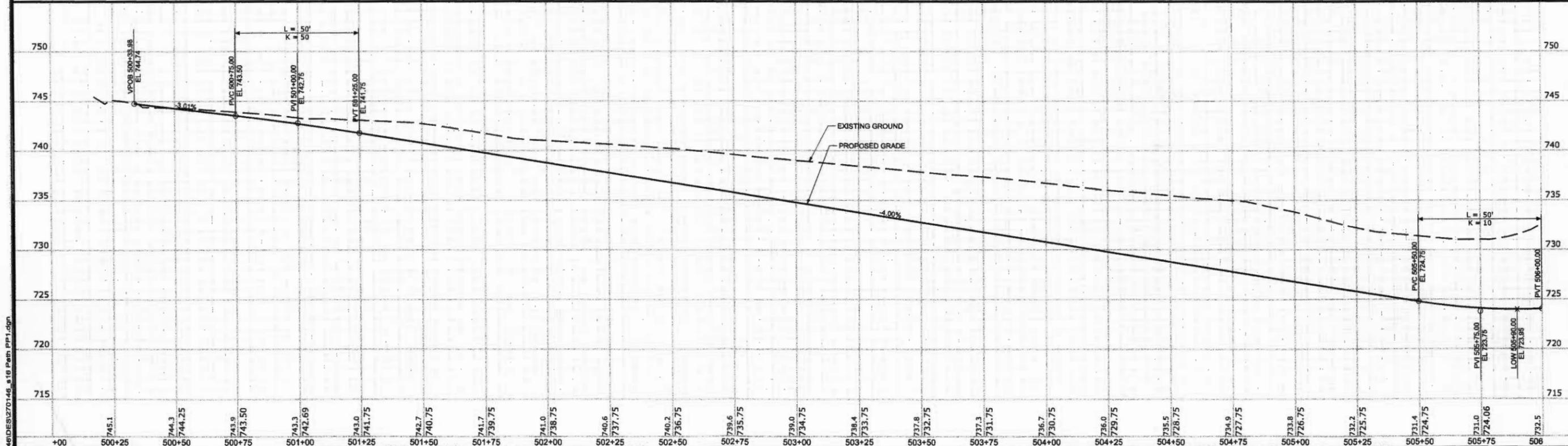
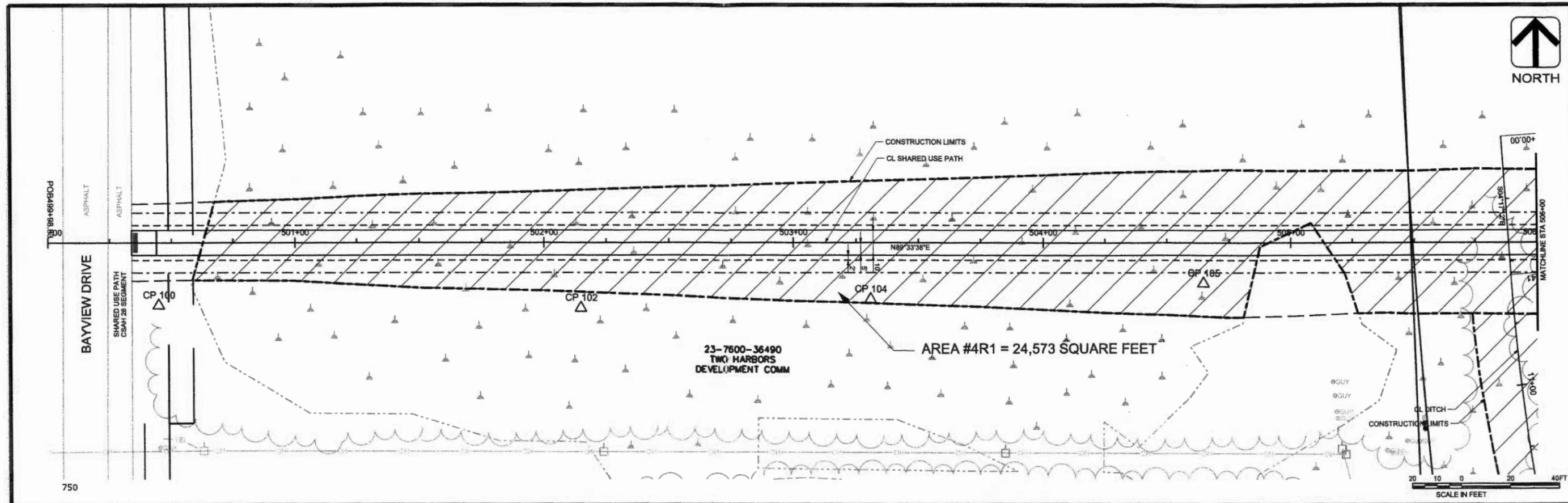
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AVRES
ASSOCIATES
EAU CLAIRE, WISCONSIN

Site Map

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Figure 4
SHEET NO

2013-00762-LED
Drawing 4 of 9



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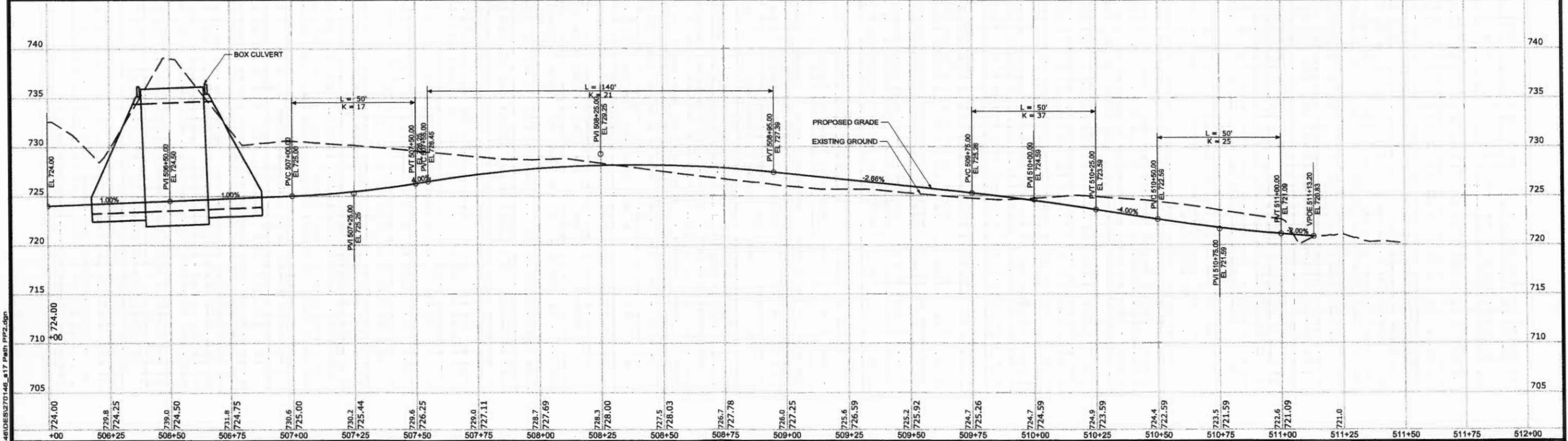
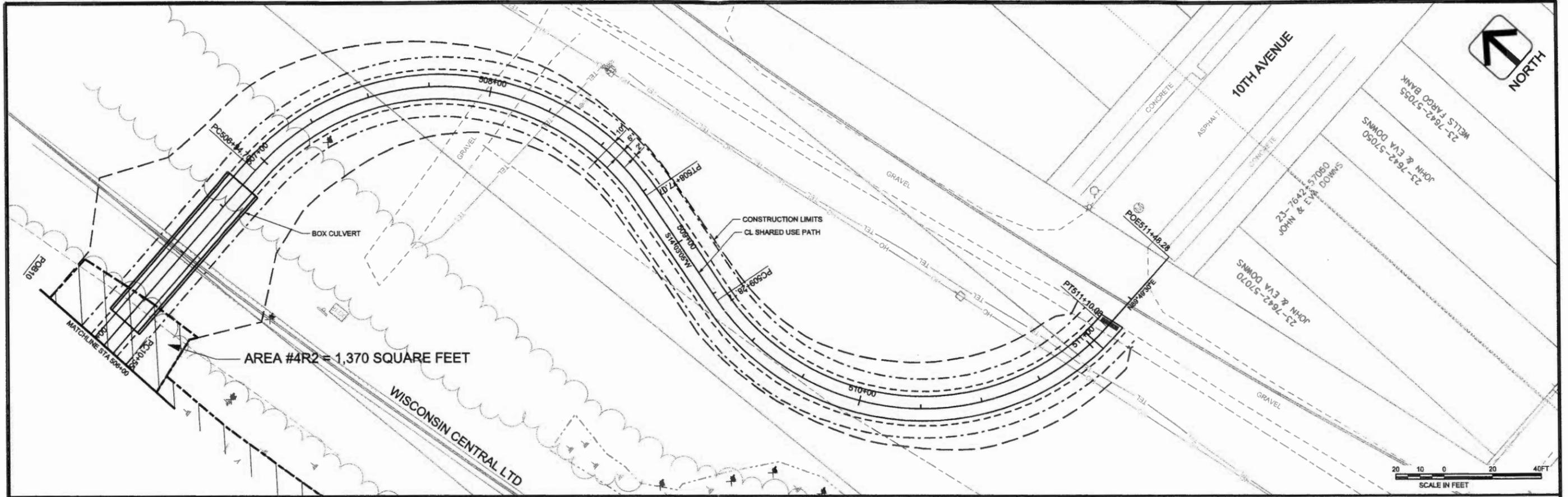
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CHK BY T PFEFFER	DATE JANUARY 2013				
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TWO HARBORS TRAIL
 S.P. 38-090-04



Trail Map #1

Figure 5



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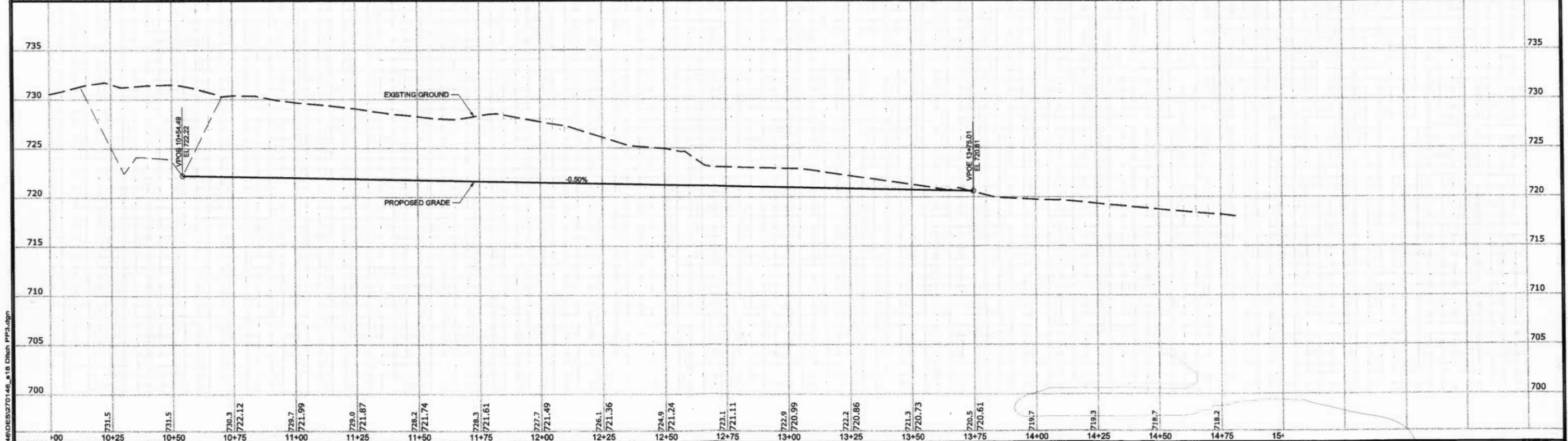
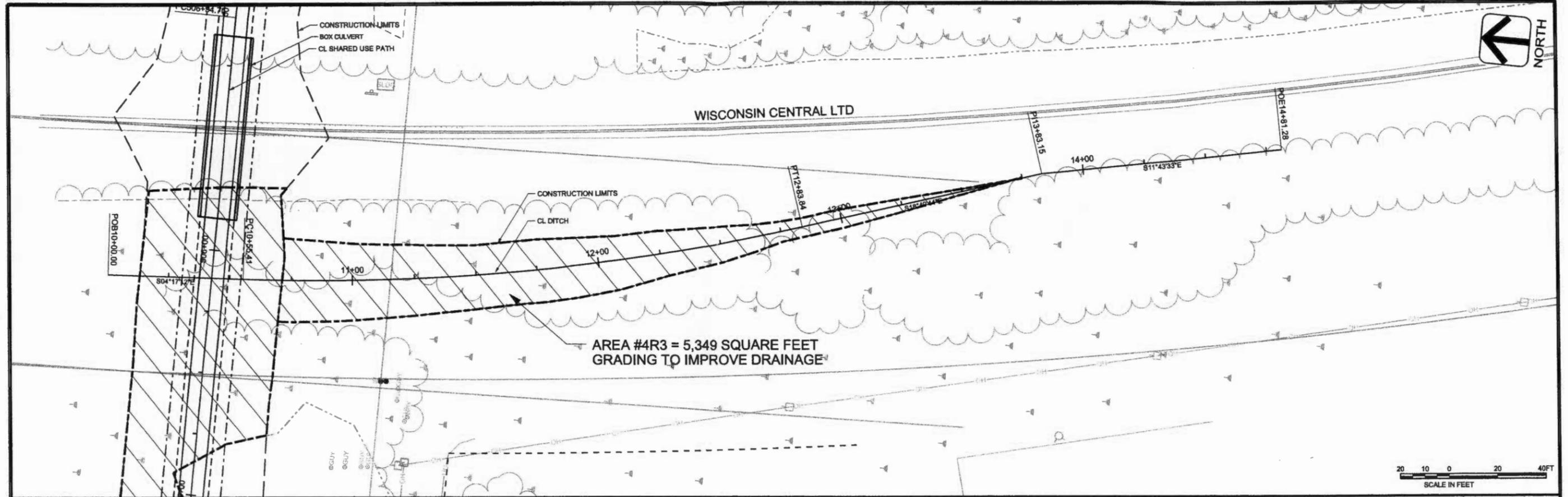
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 S.P. 38-090-04



Trail Map #2

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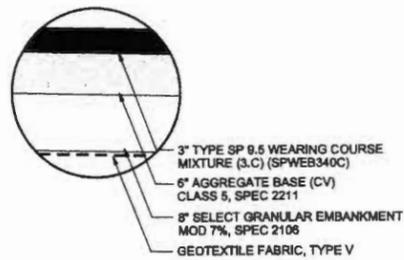
TWO HARBORS TRAIL
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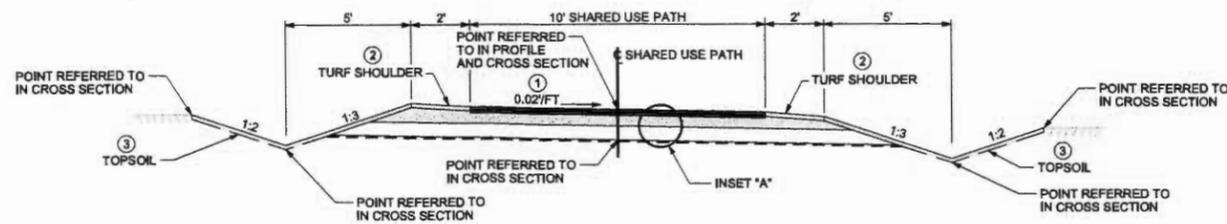
Trail Map #3

DRAWING NO
Figure 7
 SHEET NO

2013-00762-LED
 Drawing 7 of 9



**INSET "A"
 PAVEMENT STRUCTURE**
 NTS



PROPOSED TYPICAL SECTION
 NTS

NOTES:

- ① CROSS SECTION VARIES BETWEEN +2% TO -2%. SUPERELEVATE ALL CURVES TOWARD THE RADIUS POINT. WHEN NOT IN TRANSITION, THE TRAIL SHALL HAVE A 2% CROSS SLOPE TO DRAIN PAVEMENT.
- ② TURF SHOULDER SHALL CONSIST OF A 3" LAYER OF TOPSOIL/SAND MIXTURE PER SPECIFIED PROVISIONS.
- ③ MINIMUM 4" THICK LAYER OF SALVAGED TOPSOIL OR TOPSOIL BORROW FOR SLOPE DRESSING.

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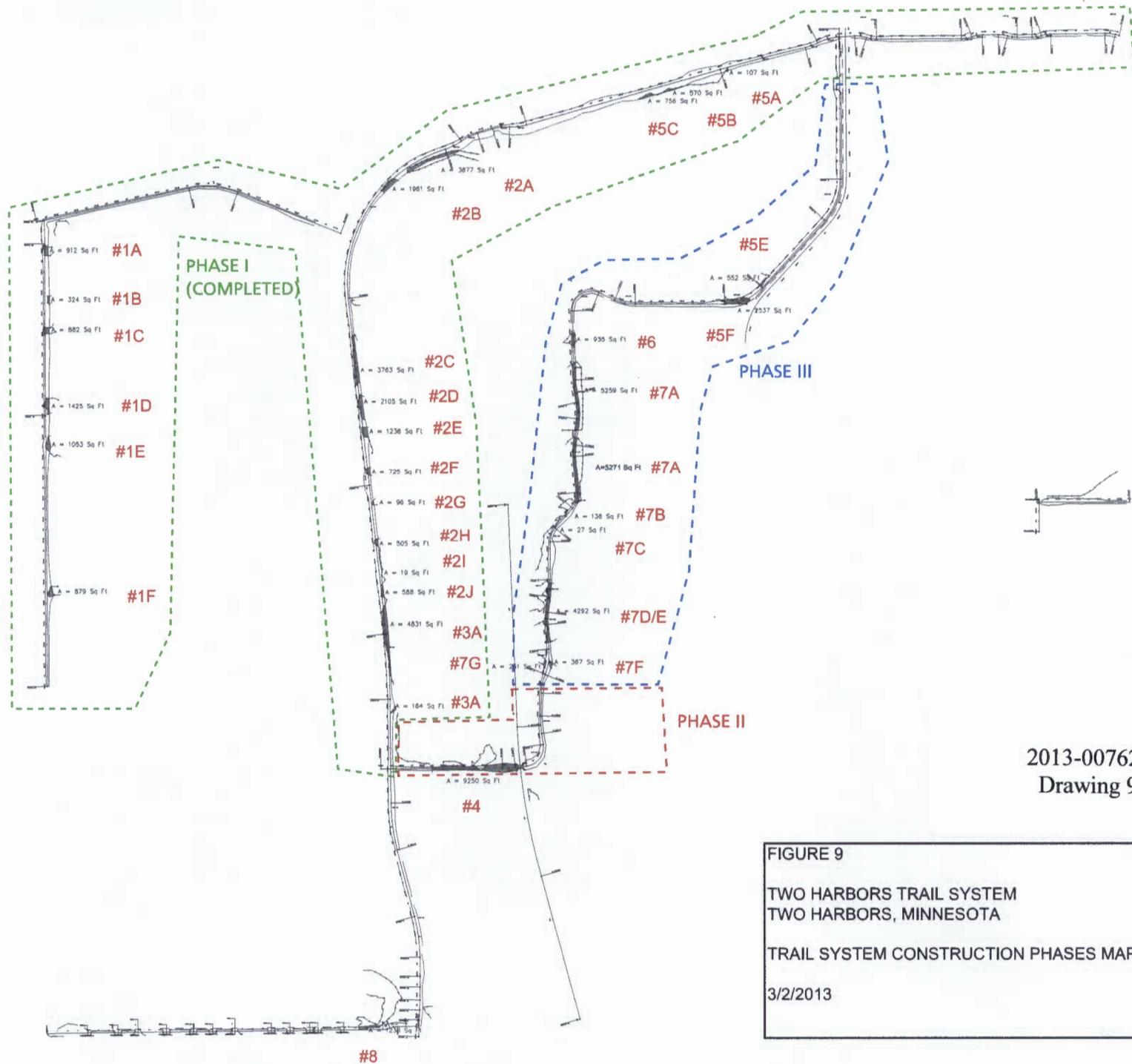
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DR BY	B CHAPMAN	JOB NO	27-0148-00				
CHK BY	T NEFFER	DATE	JANUARY 2013		NO	DATE	REVISION

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Typical Trail Cross Section

DRAWING NO
Figure 8
 SHEET NO



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 Drawing 9 of 9

FIGURE 9
 TWO HARBORS TRAIL SYSTEM
 TWO HARBORS, MINNESOTA
 TRAIL SYSTEM CONSTRUCTION PHASES MAP
 3/2/2013