

5.0 EFFECTS DETERMINATION

The Site is not located within any USFWS designated critical habitat or known occupied habitat for federally listed threatened or endangered species. Please refer to the IPaC database (Appendix A) and Table 1.

The Project will have **No Effect** on the following listed species:

- Listed species in Nebraska, as the Site is not located in the North Platte, South Platte or Laramie River basins.
- Greenback cutthroat trout, Mexican spotted owl and North American wolverine, as suitable habitat does not exist on the Site.
- Western prairie fringed orchid, as the Site will not alter or deplete flows to the Platte River system.
- Ute ladies'-tresses orchid is unlikely to occur as the Site is situated between 6,860 and 7,020 feet above mean sea level, which is higher than the 6,500-foot elevation limits documented for the species and recommended for conducting surveys by the USFWS.
- Preble's meadow jumping mouse: This species occurs in the County but is not known to occur on the Site due to:
 - The absence of habitat required to support the life requisites of the species;
 - Negative trapping results (i.e., Trapped – Not Found) reported by USFWS upstream and downstream of the Site on West Kiowa Creek, and east of the Site on Kiowa Creek;
 - 2.5 mile distance from the closest CPW "Potential" Occupied Habitat;
 - 6.5 mile distance from the closest USFWS Critical Habitat; and
 - The lack of viable habitat connection corridors from known, occupied habitat to the Site.

6.0 CONSERVATION MEASURES

Species that occur in wetland and riparian habitat are expected to benefit from the proposed change in land use. All four onsite drainages will be protected via drainage easements and will also be located in Open Space. Eliminating cattle grazing from the Site would allow for more native herbaceous and woody vegetation to grow along the drainages, thus improving habitat for many wildlife species. A noxious weed management plan will be implemented per State and County requirements to improve wildlife habitat; and a native plant re-vegetation plan for the Open Space is recommended to provide additional benefit to wildlife habitat. Implementation of the stormwater management plan will further assist in protecting water quality in all drainages, provide consistent flows to non-jurisdictional/ephemeral drainages, and ameliorate development impacts on aquatic wildlife species, such as leopard frogs.

The following, additional recommendations are intended to reduce potential impacts to wildlife:

1. Limit the use of herbicides, pesticides, and fertilizers as they can negatively impact aquatic wildlife species.
2. Minimize the installation of fencing. When fencing is needed, use wildlife friendly fences or include specific wildlife crossings along fence lines. Pronghorn are of particular concern because they do not jump over fences and can be injured by barbed-wire fences.
3. Road crossings over the Creek should be designed to enable wildlife underpass and allow use the Creek as a movement corridor to reduce collisions with vehicles.
4. Dogs should be kept in fenced pens and be leashed when on walks. At least one designated off-leash area for dogs should be provided, as this will increase compliance with leash rules in other areas.
5. Cats should not be allowed outdoors because they kill birds and native rodents.

7.0 CONCURRENCE REQUEST

Ecos requests informal concurrence from the USFWS with our No Effects Determination based on the information presented herein. The Project and its direct and indirect environmental effects don't occur in any designated critical habitat. The majority of the ESA-listed species don't occur in the Project area and are absent from all areas where the Project will have direct or indirect environmental effects. Preble's meadow jumping mouse and Ute ladies'-tresses orchid occur in the County but are not known to occur in the Project area and areas where the Project will have direct or indirect environmental effects.

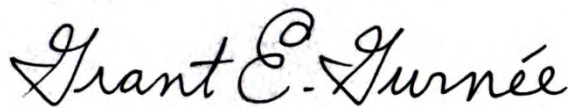
Thank you for your assistance with this project. Please feel free to call ecos (970) 812-3267 if you have any questions.

Sincerely,

Ecosystem Services, LLC



Jon Dauzvardis, P.W.S.
Owner - Restoration Ecologist



Grant E. Gurnée, P.W.S.
Owner - Restoration Ecologist

Cc: *Peter Martz, 4 Site Investments*

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**Informal Consultation Request**

April 10, 2020

Mr. Drue DeBerry
Acting Colorado Field Supervisor
U.S. Fish and Wildlife Service
Colorado Ecological Services Field Office
134 Union Blvd., Suite 670
Lakewood, Colorado 80228

RE: Request for Technical Assistance Regarding the Likelihood of Take of Federally-listed Threatened and Endangered Species resulting from the proposed development of the Grandview Reserve Project in El Paso County, Colorado

Dear Mr. DeBerry:

Ecosystem Services, LLC (ecos) has prepared the enclosed habitat evaluation on behalf of 4 Site Investments to describe the physical/ecological characteristics of the Grandview Reserve site (Site) and evaluate the potential effects of the proposed development project (Project) on the Federally-listed threatened and endangered (T&E) species protected under the Endangered Species Act (ESA).

The El Paso County Environmental Division has completed its review of the Project and has requested that 4 Site Investments provide a "Clearance Letter" obtained from the U.S. Fish and Wildlife Service (USFWS) to the Planning and Community Development Department prior to project commencement "where the project will result in ground disturbing activity in habitat occupied or potentially occupied by threatened or endangered species and/or where development will occur within 300 feet of the centerline of a stream or within 300 feet of the 100 year floodplain, whichever is greater."

At this time there is no Federal action and no Federal agency is making a formal effects determination under Section 7 (a)(2) of the ESA. Therefore, ecos is requesting technical assistance from USFWS regarding 4 Site Investments' (i.e., the non-federal party) responsibilities under the ESA, and specifically the likelihood of the Project (described herein) resulting in take of listed species. If the USFWS concurs with the findings presented herein we request that you issue an informal letter of concurrence for use in the El Paso County Project review process.

1.0 SITE LOCATION and PROJECT DESCRIPTION

The Site is located in the Falcon/Peyton area of El Paso County and is bounded along the north by 4 Way Ranch Phase I, along the south by Waterbury, along the southeast by Highway 24, and along the west by Eastonville Road. There are no existing structures, roads, or other infrastructure on the Site. The Site is located approximately 4.14 miles southwest of Peyton, 4.16 miles northeast of Falcon and 4.66 miles south of Eastonville, in El Paso County, Colorado. The Site is generally located within the south ½ of Section 21, south ½ of Section 22, the north ½ of Section 27, and the north ½ of Section 28, Township 12 South, Range 64 West in El Paso County, Colorado. The center of the Site is situated at approximately Latitude 38.98541389 north, - 104.55472222 east (refer to Figure 1).

Appendix G

MT – 2 Checklist

MT-2 REVISION REQUEST SUBMITTAL CHECKLIST

PART A: GENERAL REQUIREMENTS

ELEMENTS	Yes	N/A
NARRATIVE: Please provide a written description about the purpose of the request and the scope of the proposed/as-built project and the methodology used to analyze the project effects.	✗	
MT-2 APPLICATION FORMS: Please provide completed forms applicable to your request. Ensure that MT-2 Form 1 was signed by the requester, certifying engineer, and each community affected by the revision.	✗	
HYDROLOGIC ANALYSIS: If applicable, please provide a FEMA acceptable hydrologic analysis in digital format, drainage area map and associated backup information (e.g., calculations used to determine lag time, CN and loss values as well as landuse and soil maps). FEMA-acceptable models can be accessed at www.fema.gov/national-flood-insurance-program-flood-hazard-mapping/numerical-models-meeting-minimum-requirements .		✗
HYDRAULIC ANALYSIS: Please provide a FEMA acceptable hydraulic analysis in digital format. FEMA-acceptable models can be accessed at www.fema.gov/national-flood-insurance-program-flood-hazard-mapping/numerical-models-meeting-minimum-requirements .	✗	
CERTIFIED TOPOGRAPHIC WORK MAP: Please provide a certified topographic work map that meets the mapping requirements outlined in MT-2 Form 2. If available, please provide digital Computer-Aided Design (CAD) or Geographic Information System (GIS) data that is spatially referenced.	✗	
ANNOTATED FIRM: Please submit a revised FIRM, at the scale of the effective FIRM, which shows the revised boundary delineation of the base floodplain, 0.2-percent-annual-chance floodplain, and regulatory floodway and how it ties into the boundary delineation shown on the effective FIRM at the downstream and upstream ends of the revised reach.	✗	
REVIEW FEE PAYMENT: Please include the appropriate review fee payment. The current fee schedule is available on the FEMA Web site at https://www.fema.gov/flood-map-related-fees .		✗
MEET 65.10 REQUIREMENT: If the request intends to show that a berm/levee/flood wall provides flood protection, please submit all of the data requirements outlined in Section 65.10 of the NFIP regulations.		✗
OPERATION AND MAINTENANCE PLAN: If the request involves a berm, levee, flood wall, dam, and/or detention basin project, please submit an officially adopted maintenance and operation plan.		✗
PROPOSED/AS-BUILT PLANS: If applicable, please submit proposed/as-built plans, certified by a registered Professional Engineer, for all the project elements.	✗	
FLOODWAY NOTICE: If the revision result in changing or establishing floodway boundaries, please provide floodway public notice or a statement by your community that it has notified all affected property owners, in compliance with NFIP regulation Subparagraph 65.7(b)(1).	✗	
PROPERTY OWNER NOTIFICATION: If the revision result in any widening/shifting/establishing of the base floodplain and/or any BFE increases/establishing BFEs, please provide copy of the individual legal notices sent to all the property owners affected by any increases in the flood hazard information.	✗	

PART B: CLOMR SPECIFIC REQUIREMENTS

Endangered Species Act COMPLIANCE: Please submit documentation of compliance with the ESA Requirements. To learn more about ESA Compliance, please see the MT-2 Instructions manual.	✗	
65.12 REGULATORY REQUIREMENTS: If the Base (1-percent-annual-chance) Flood Elevation (BFE) increases greater than 0.00 foot as a result of encroachment within a floodway or 1.0 foot within Zone AE that has no floodway/Zone A, between the pre-project (existing) conditions and the proposed conditions as a result of the proposed project. Please submit a). Certification that no structures are affected by the increased BFE; b). Documentation of individual legal notice to all affected property owners, explaining the impact of the proposed action on their property; and c). An evaluation of alternatives that would not result in an increase in BFE.		✗

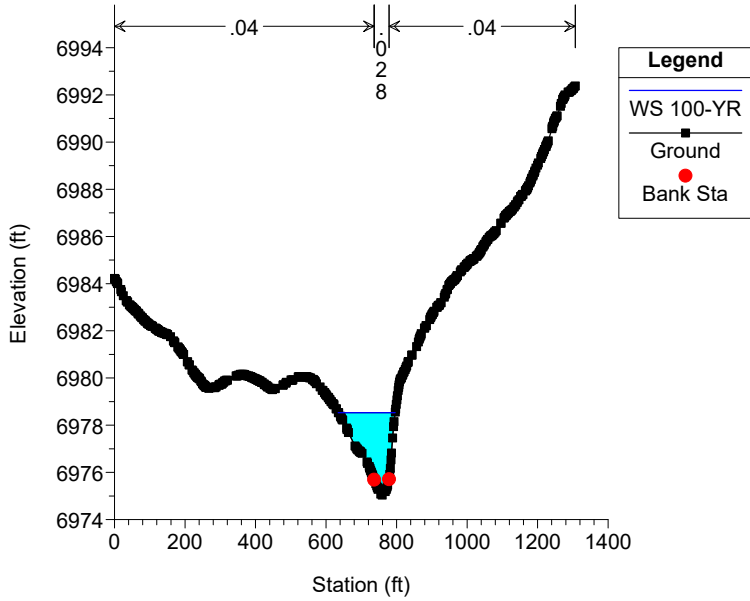
Note: Applicants are encouraged to submit their revision request using the Online LOMC tool. To learn more about the Online LOMC tool, visit the FEMA website at www.fema.gov/online-lomc.

Appendix H

Existing Condition Cross Sections

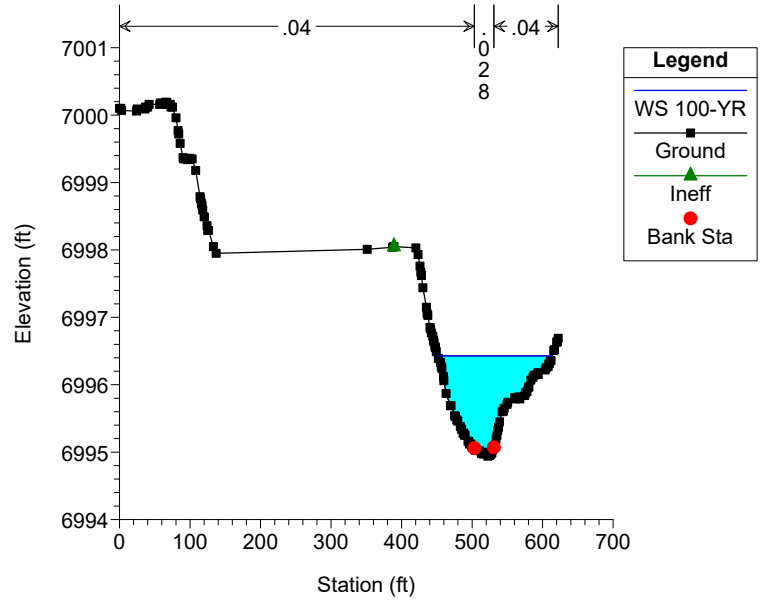
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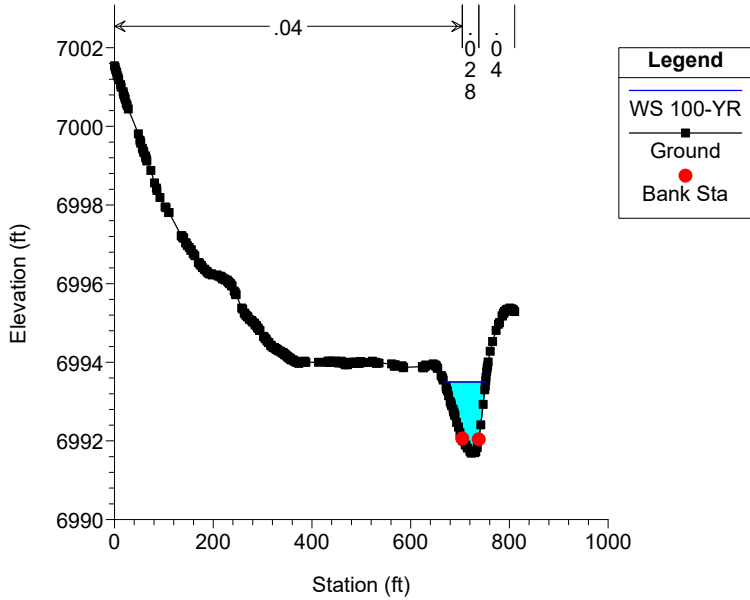
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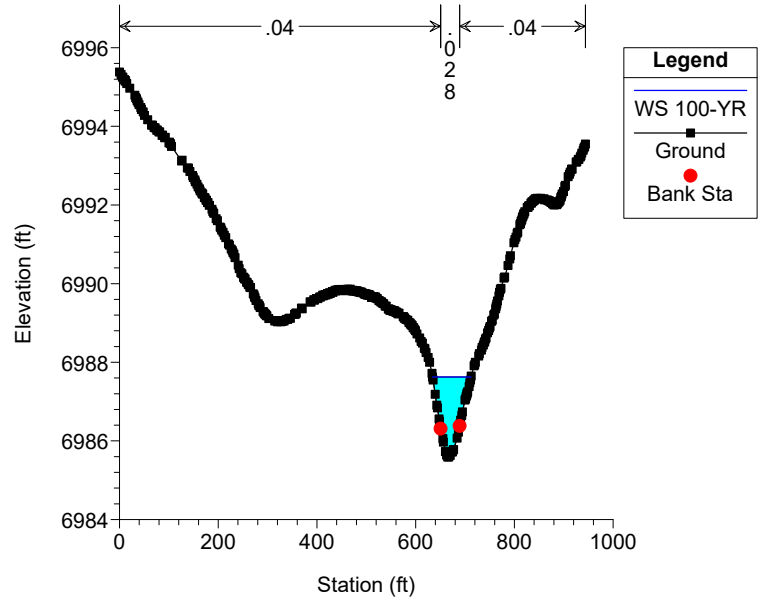
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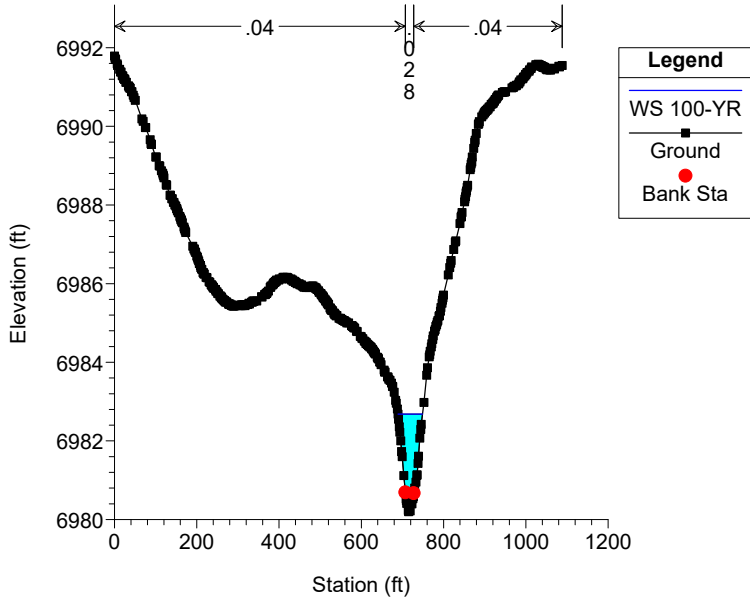
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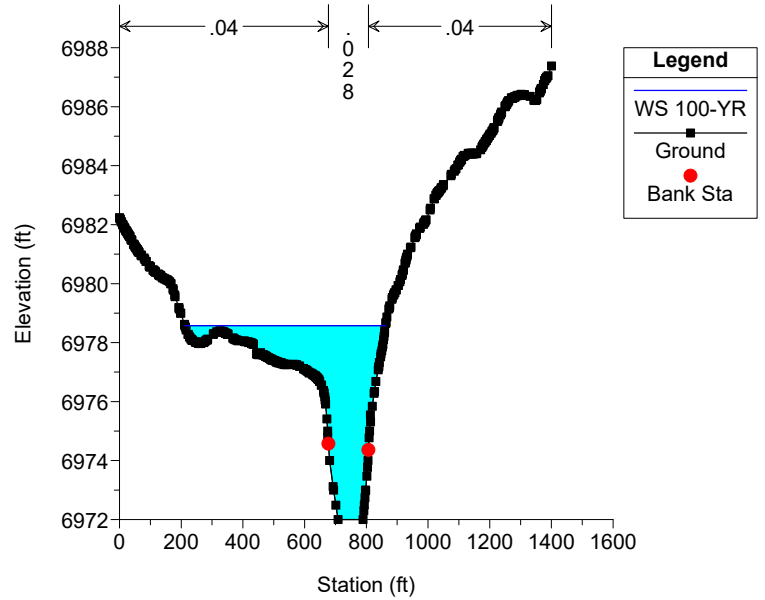
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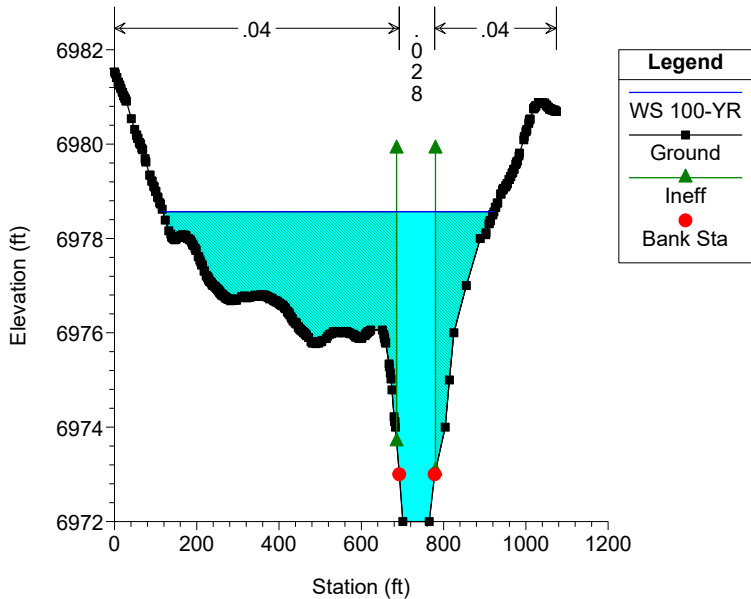
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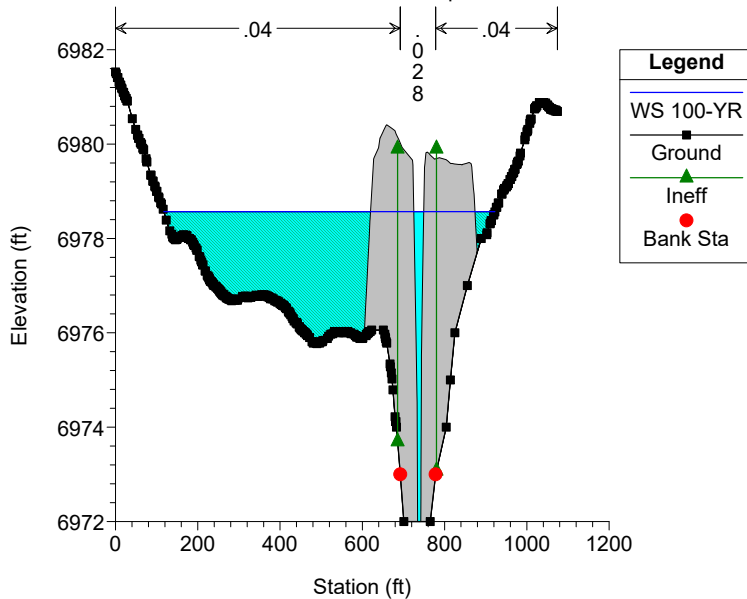
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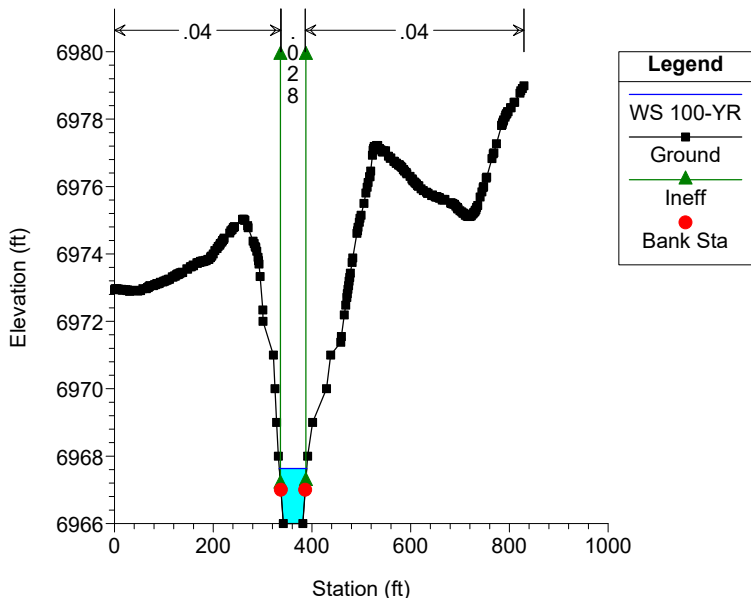
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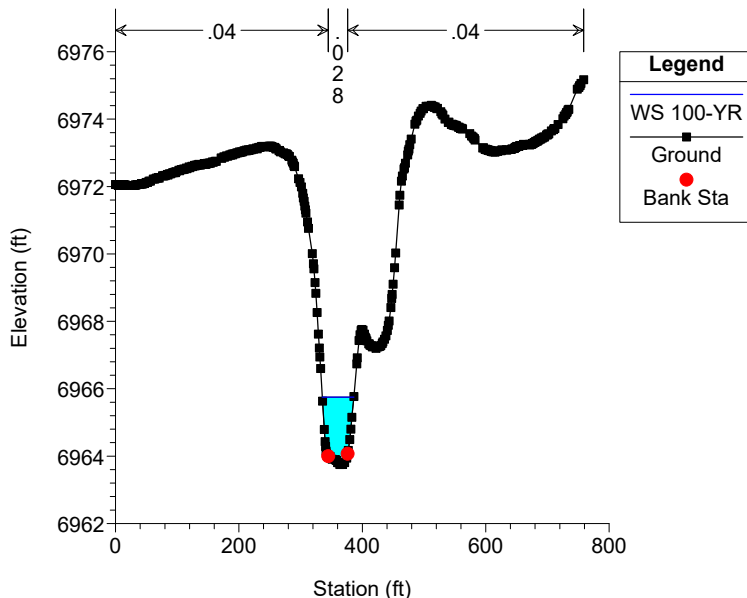
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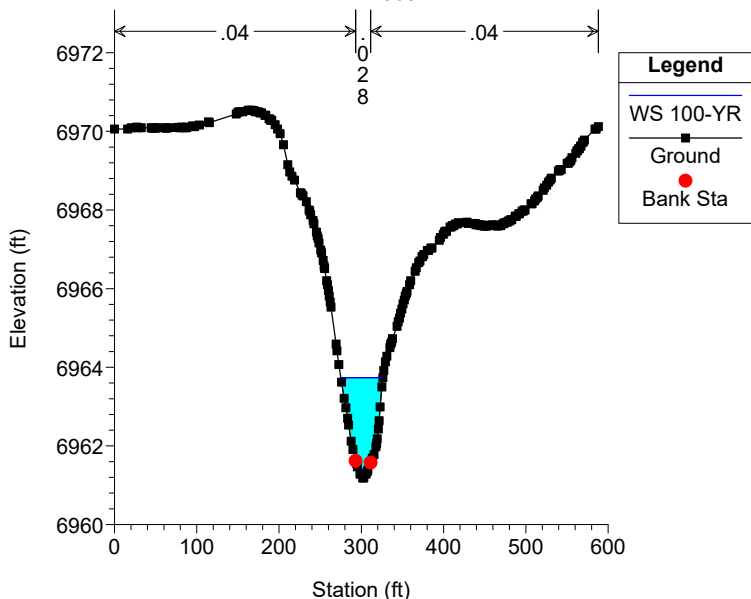
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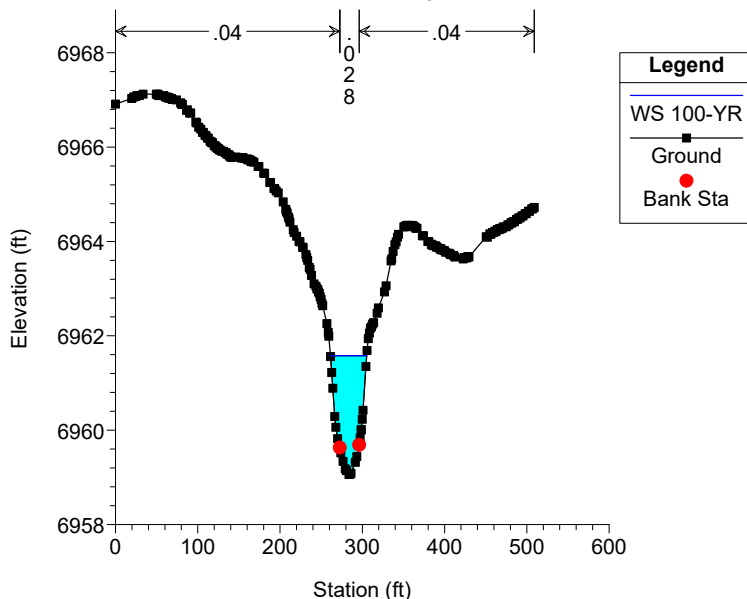
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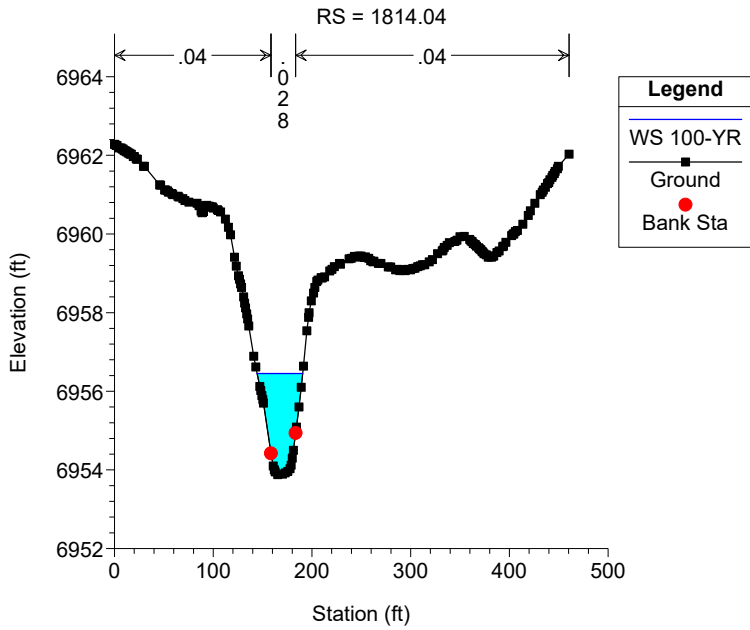


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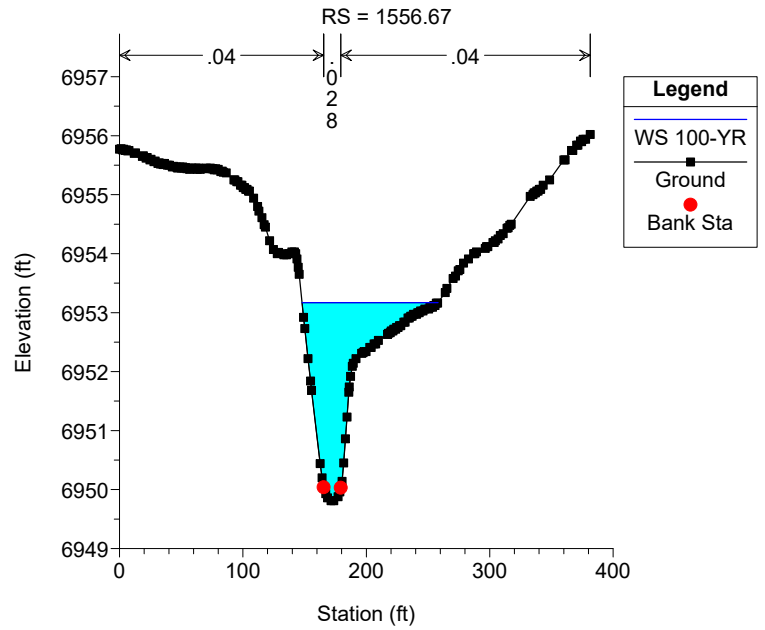
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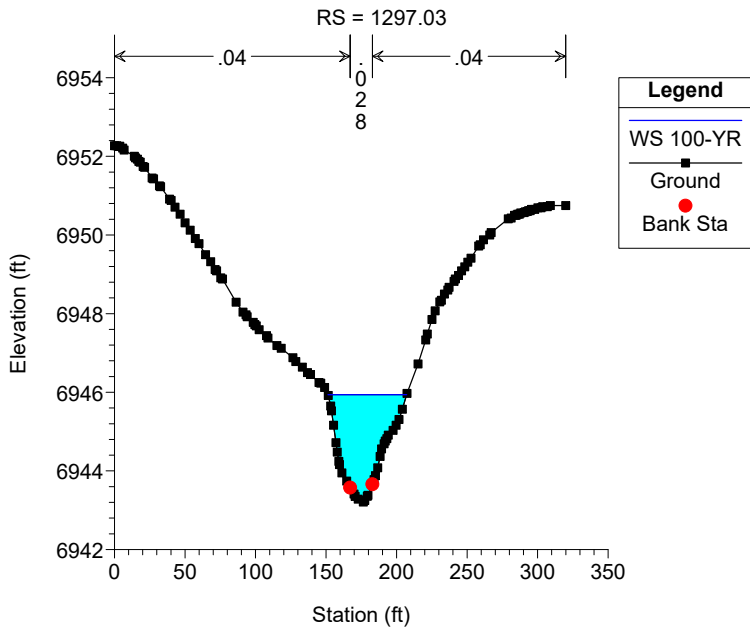
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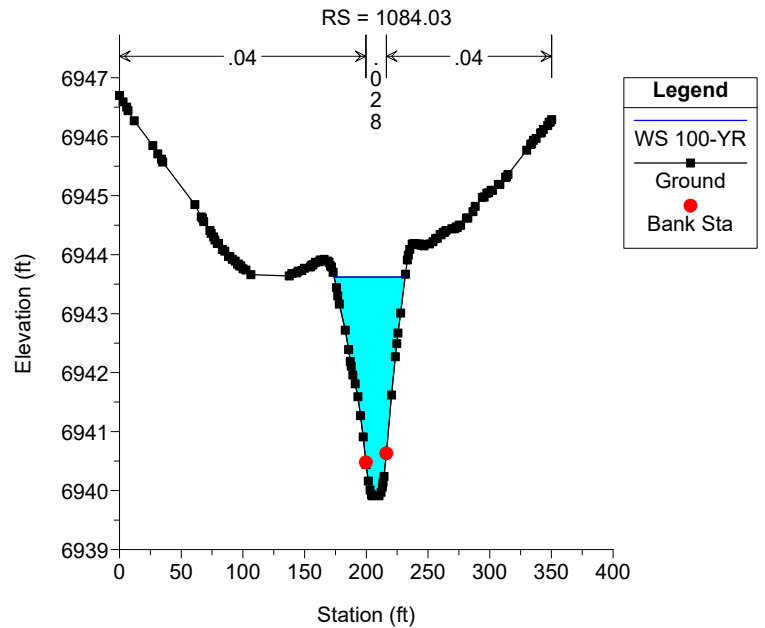
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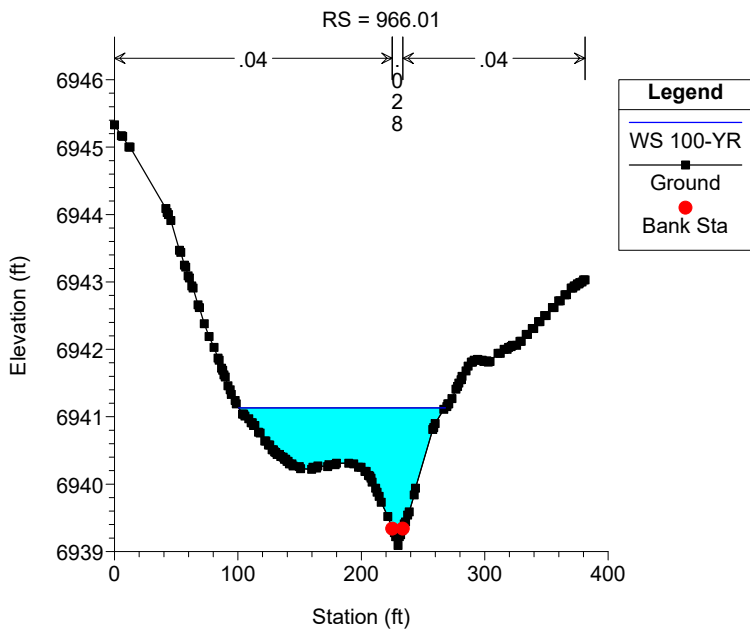
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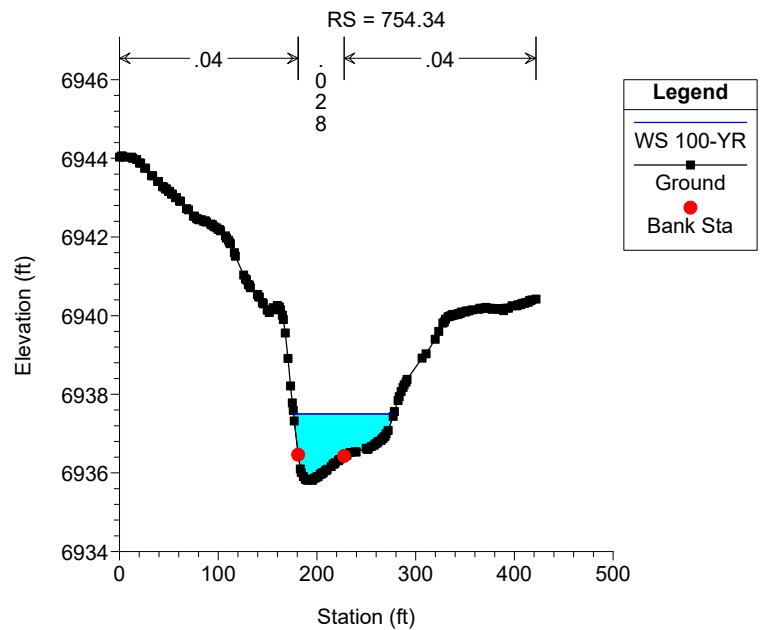
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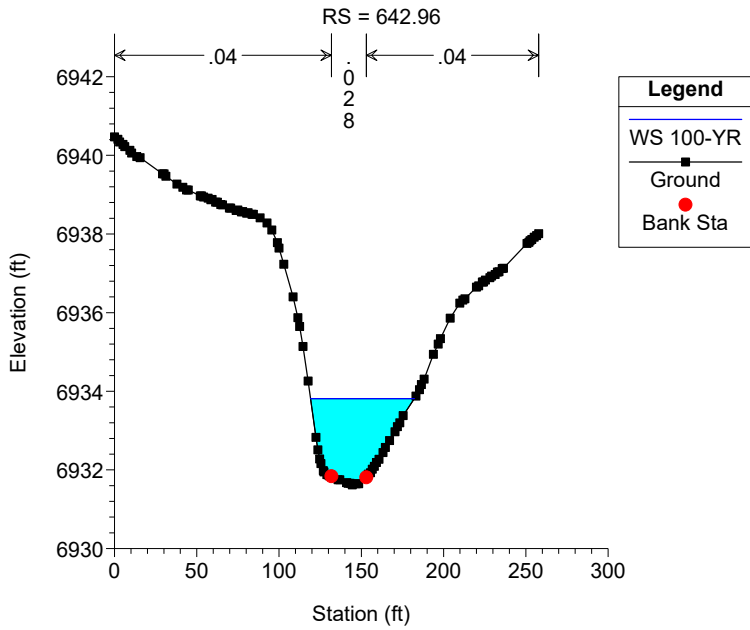
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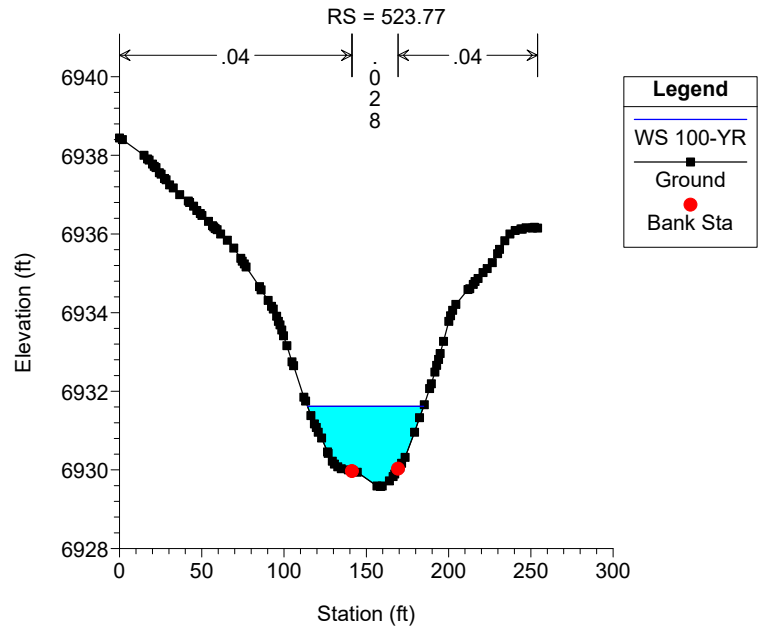
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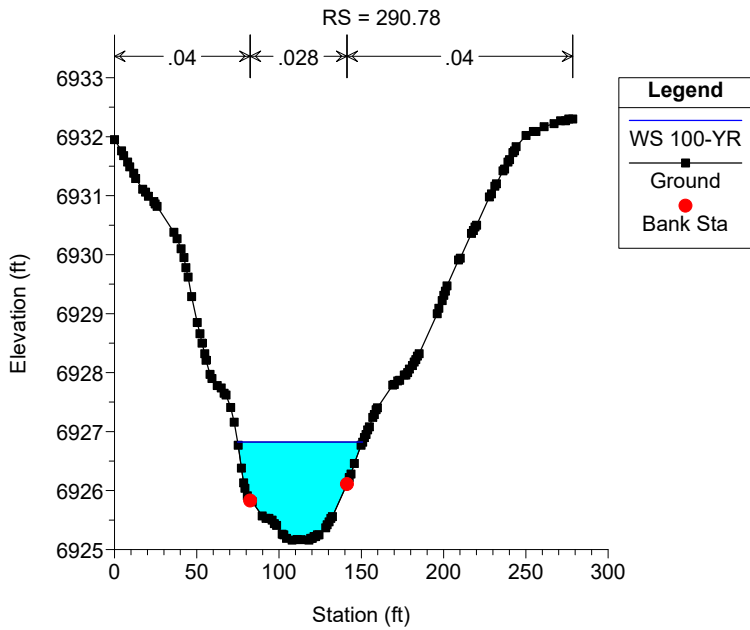
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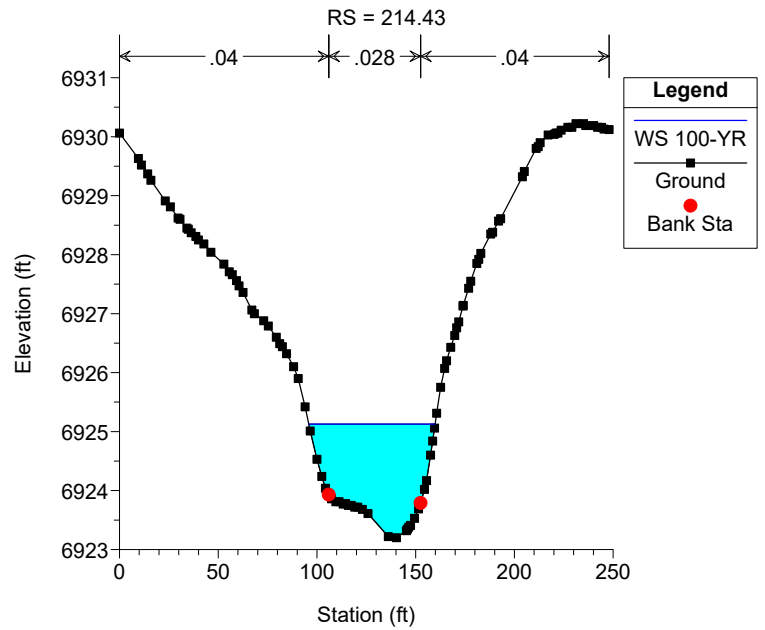
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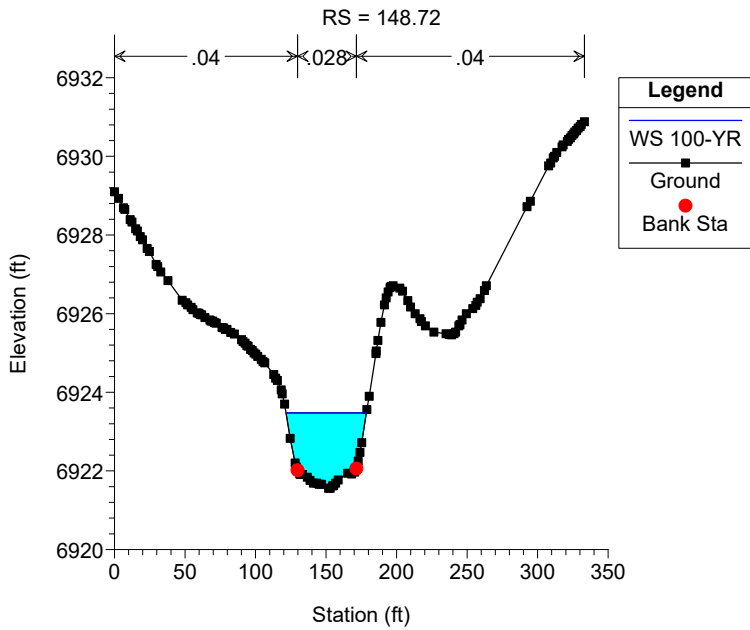
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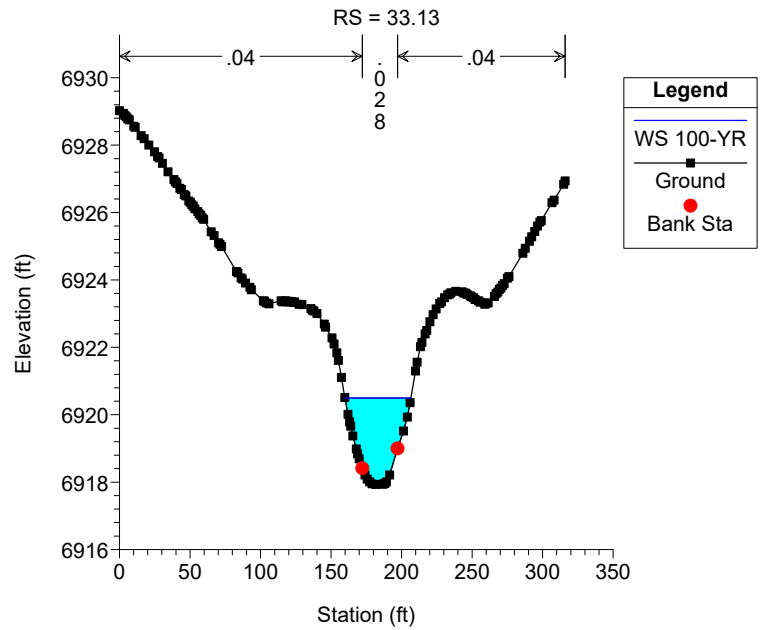
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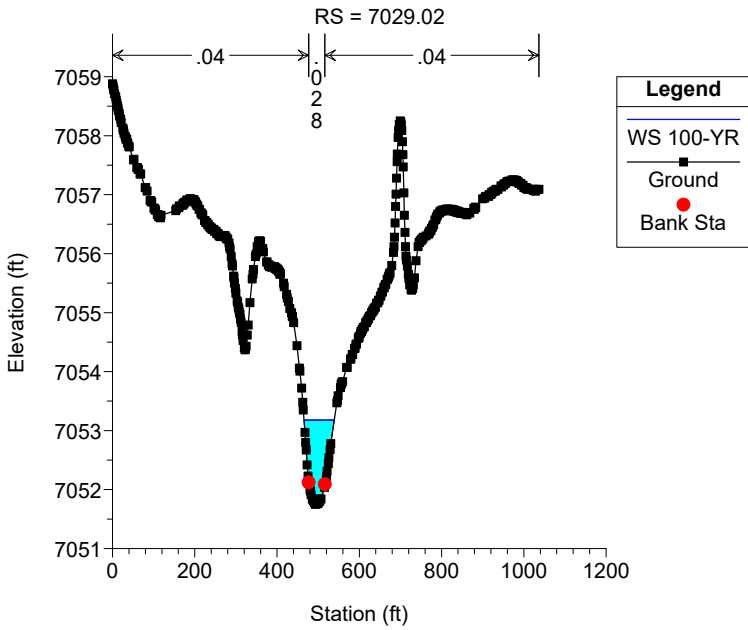
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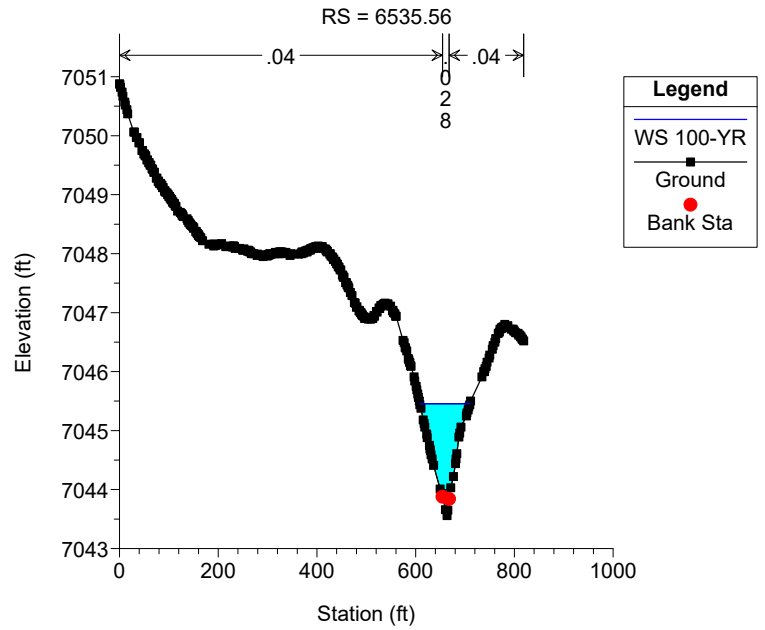
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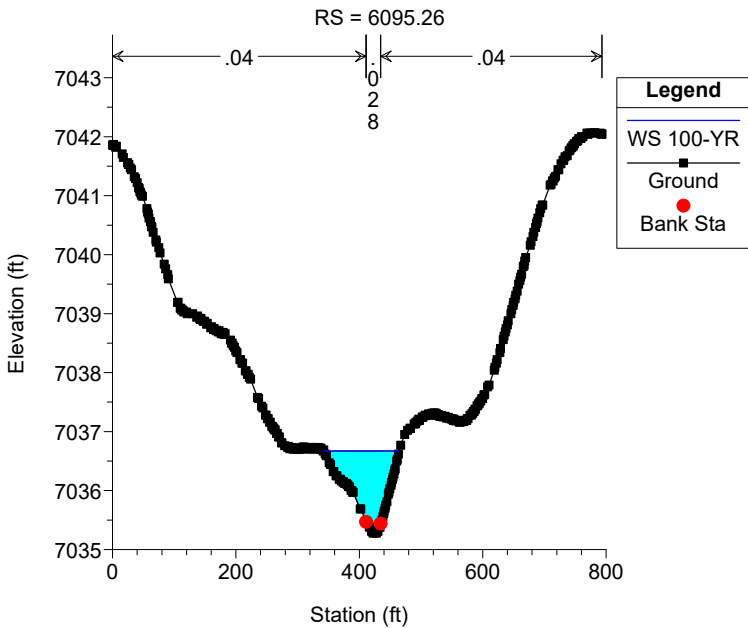
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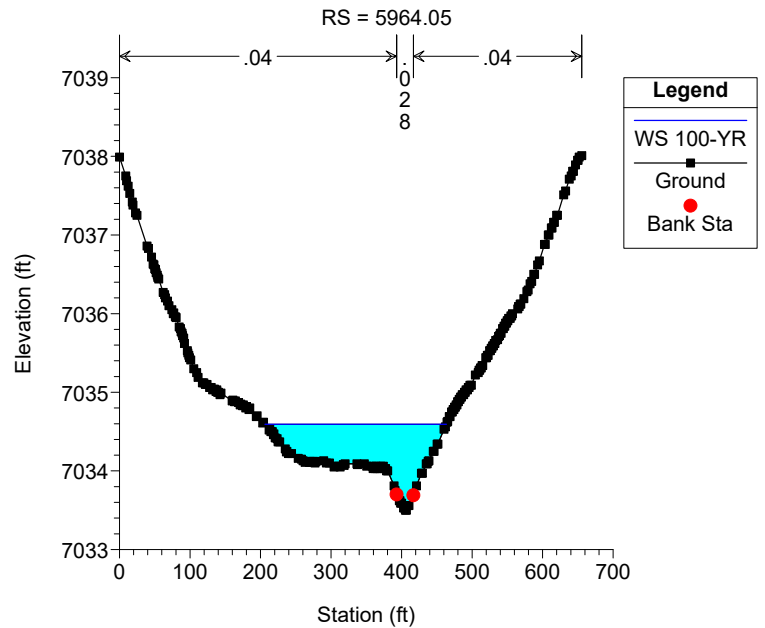
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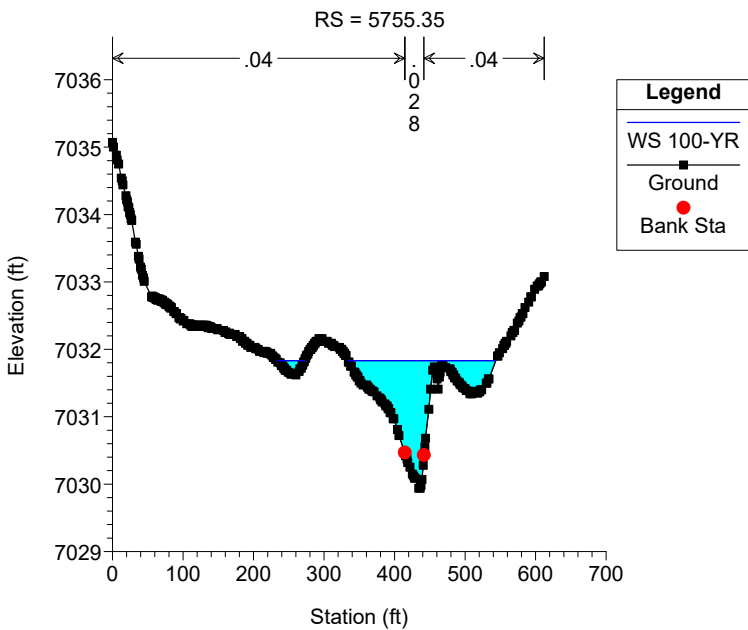
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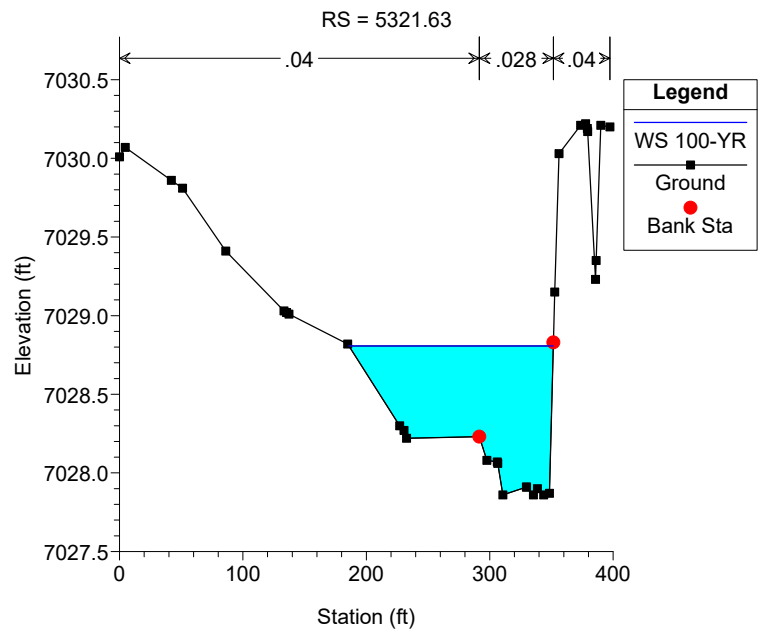
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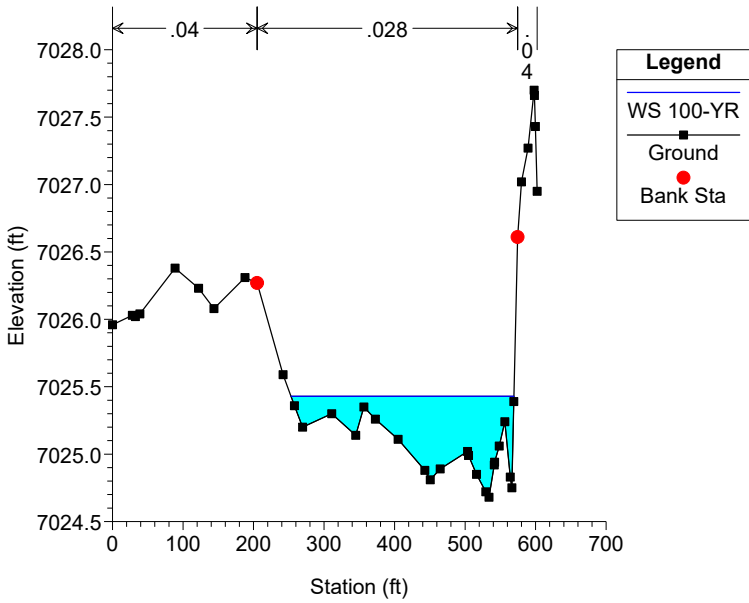


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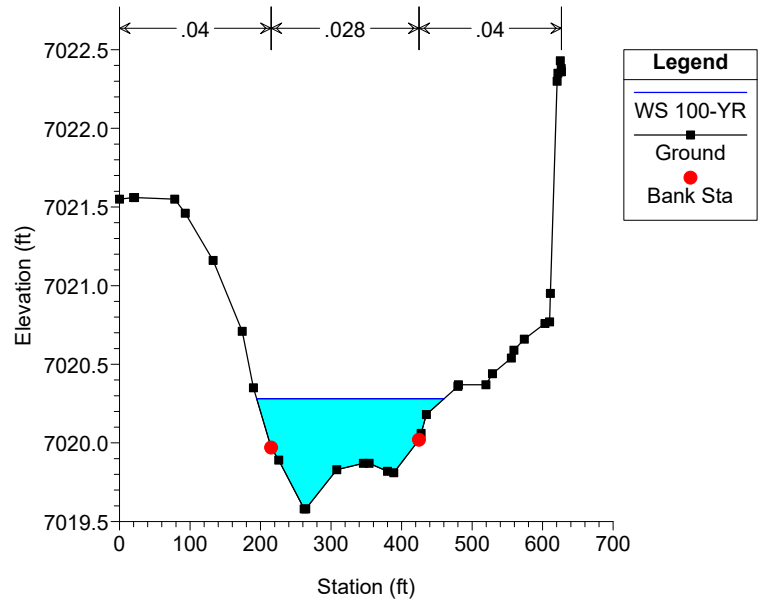
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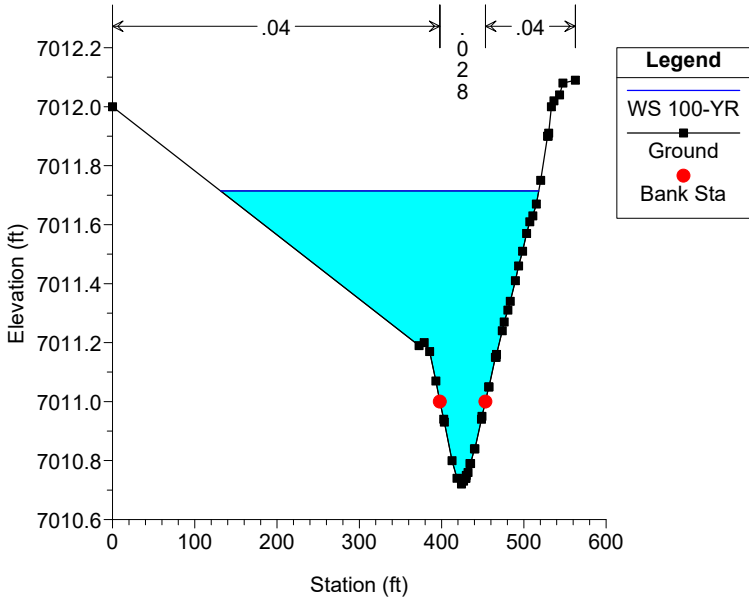
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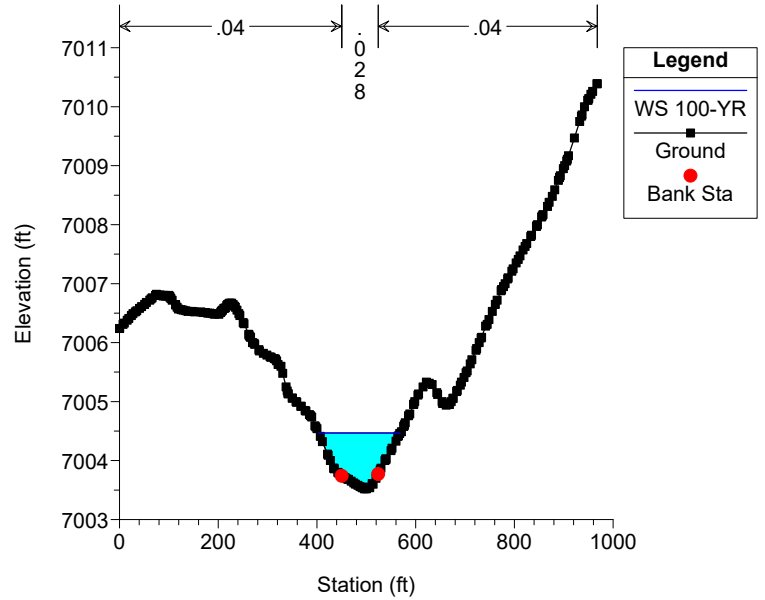
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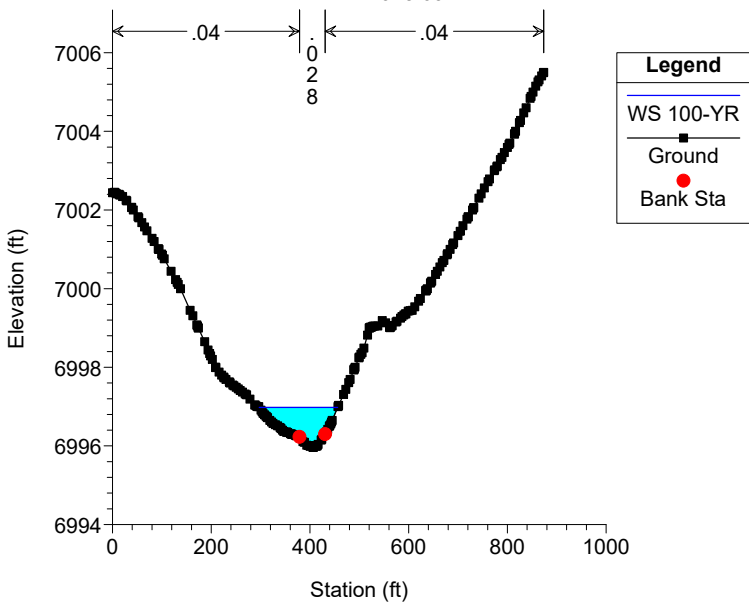
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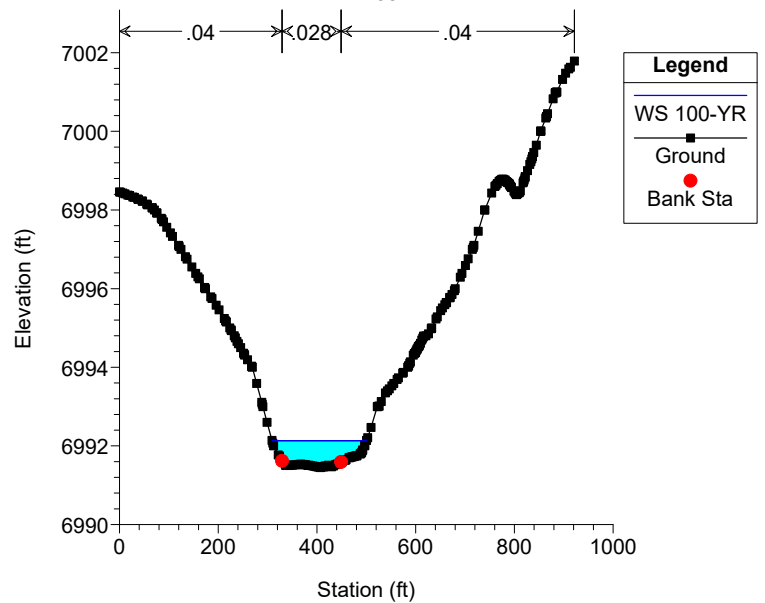
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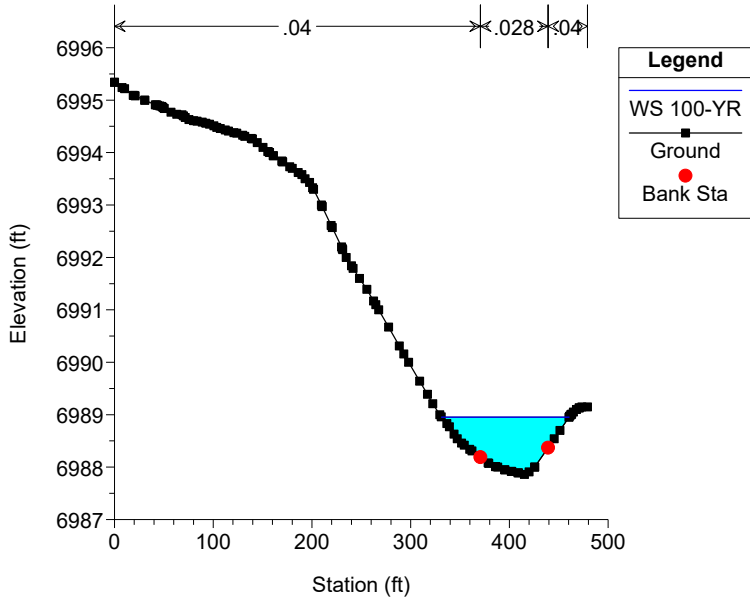
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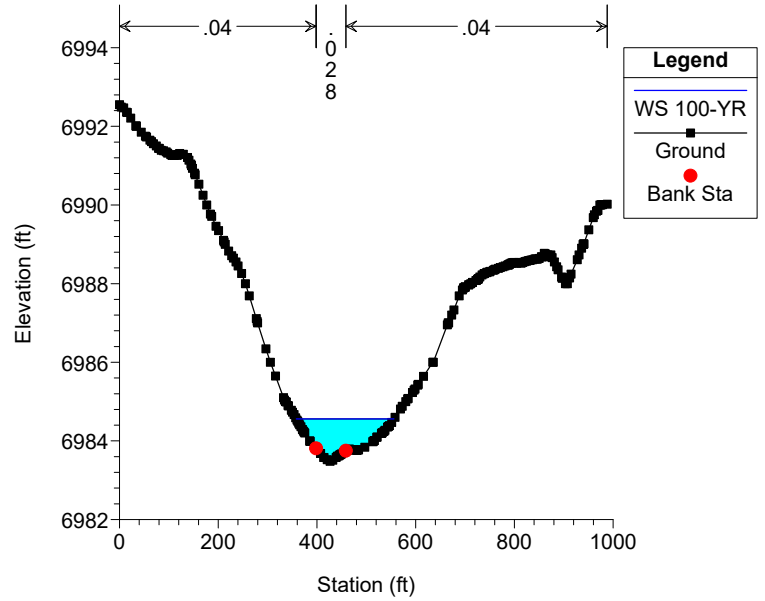
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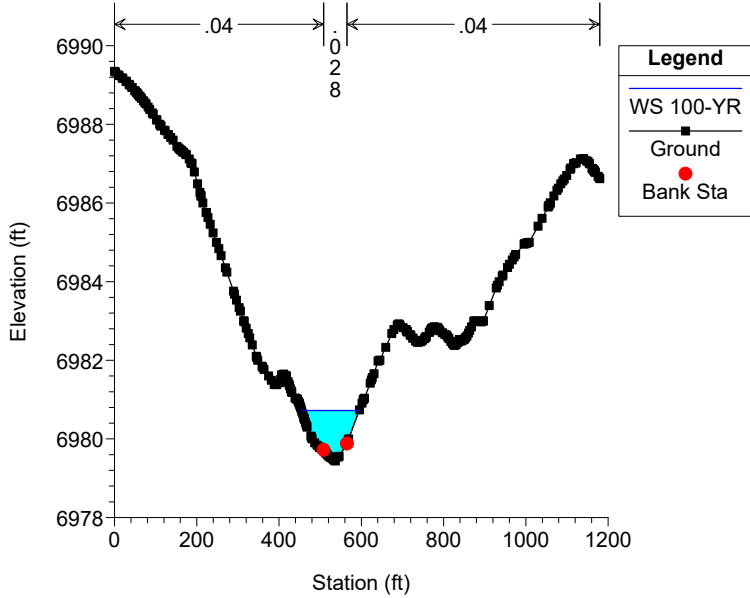
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RS = 3575.47



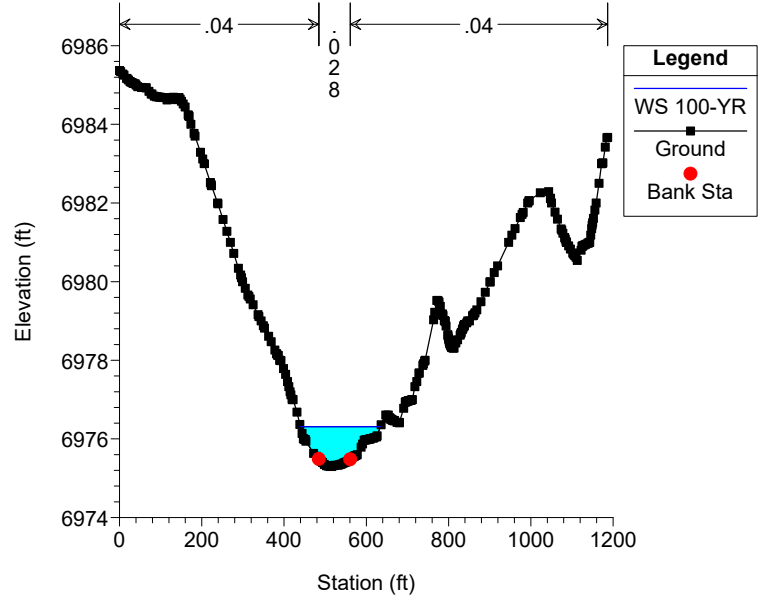
Geick Ranch Tributary 2 Plan: GRT2_Existing 3/22/2023

RS = 3361.62



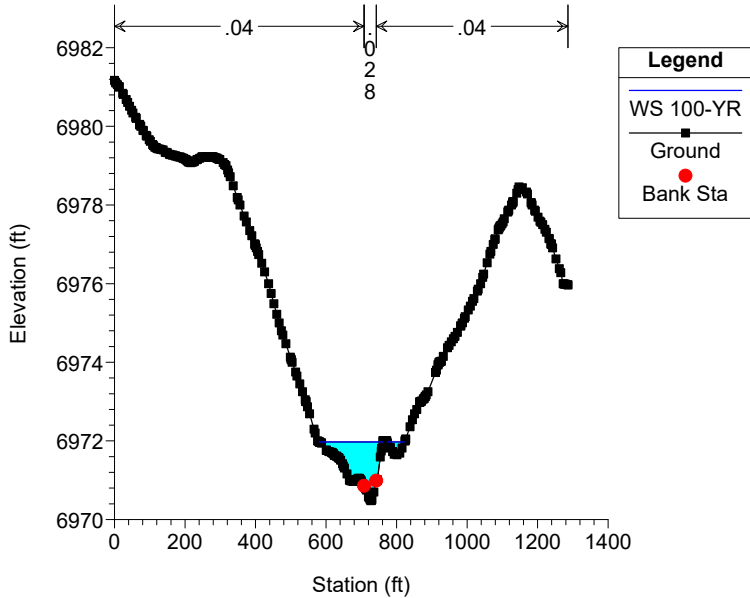
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RS = 3164.79



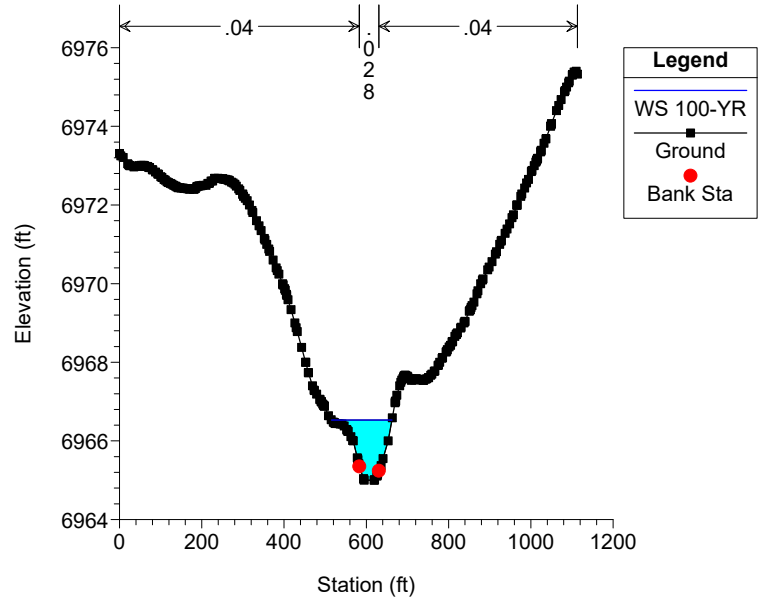
Geick Ranch Tributary 2 Plan: GRT2_Existing 3/22/2023

RS = 2955.21

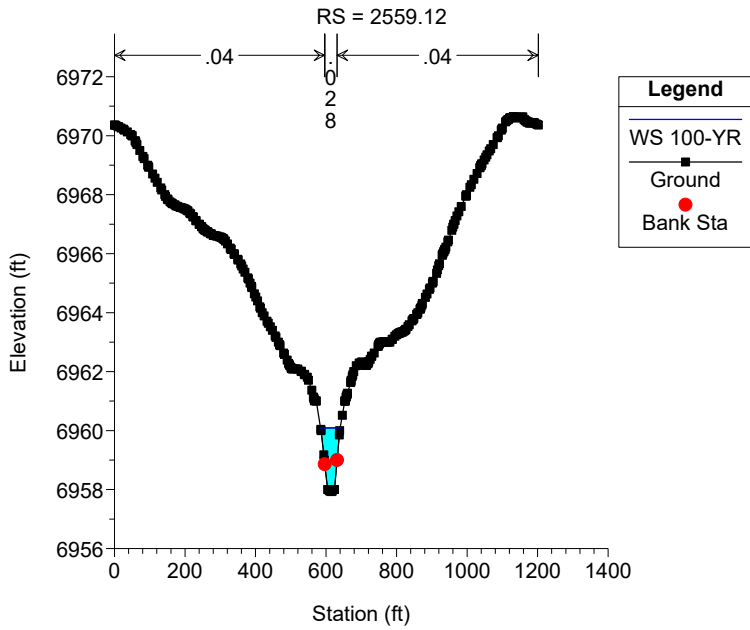


Geick Ranch Tributary 2 Plan: GRT2_Existing 3/22/2023

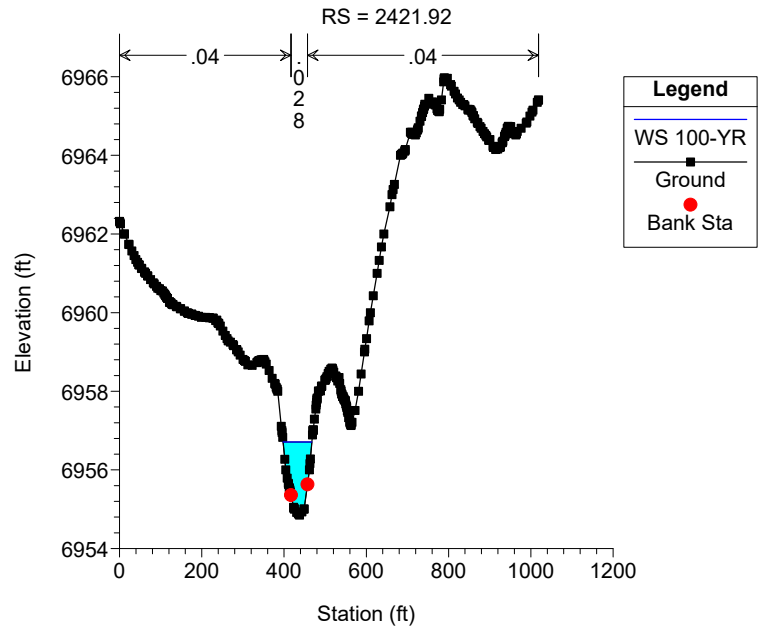
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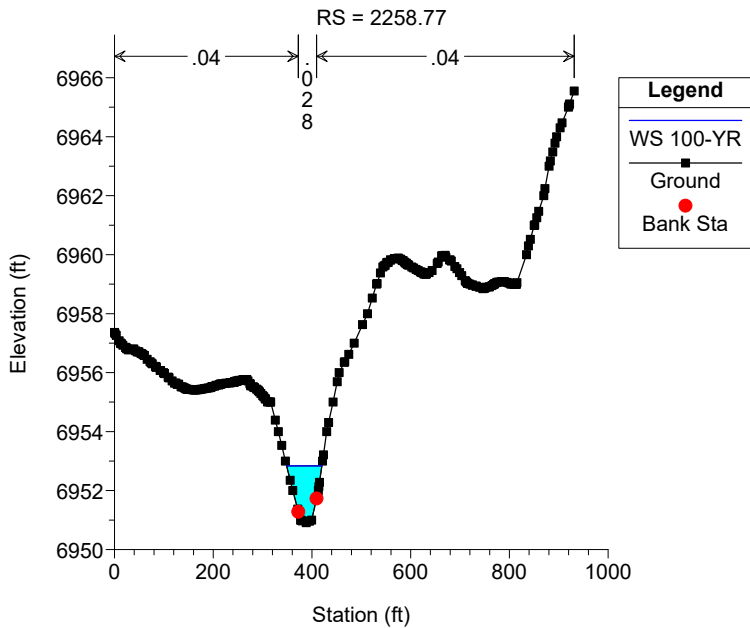
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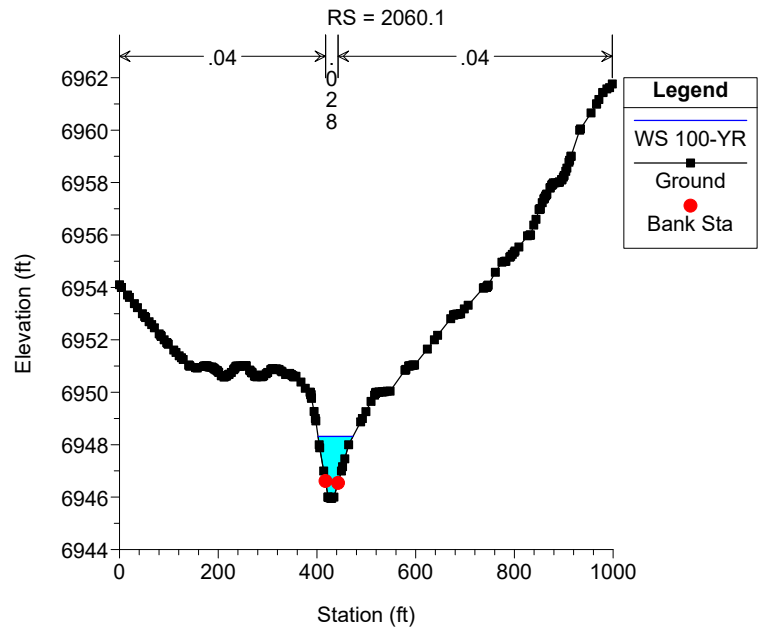
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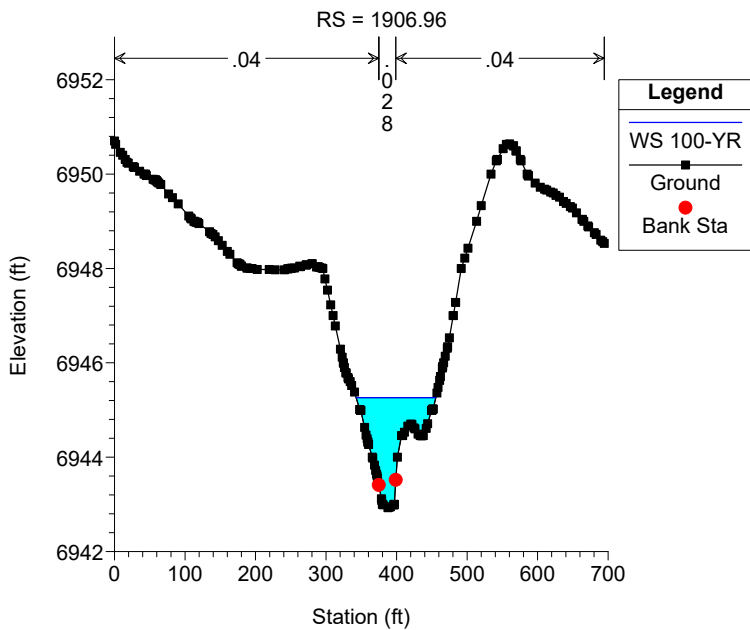
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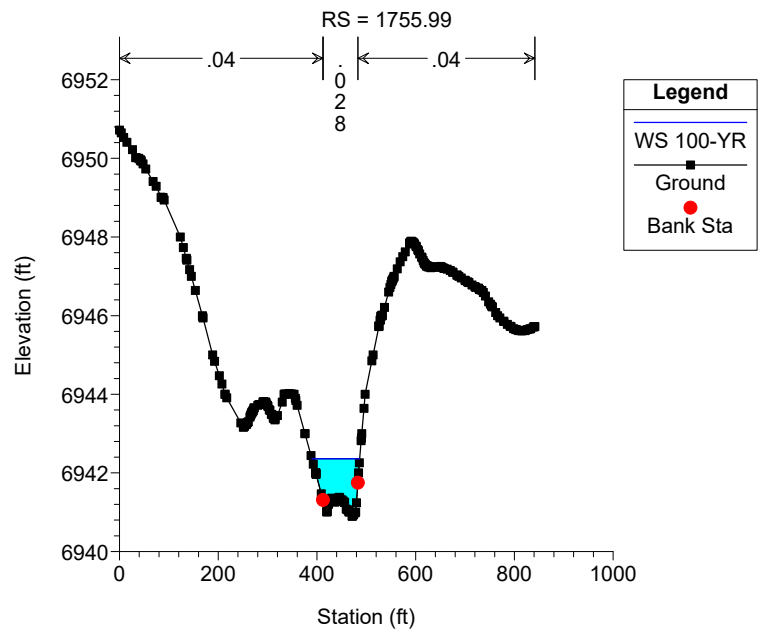
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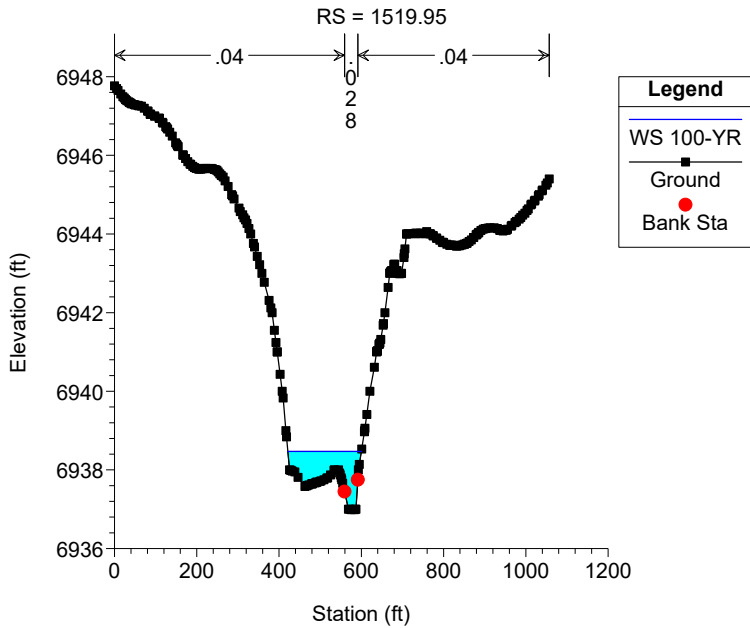
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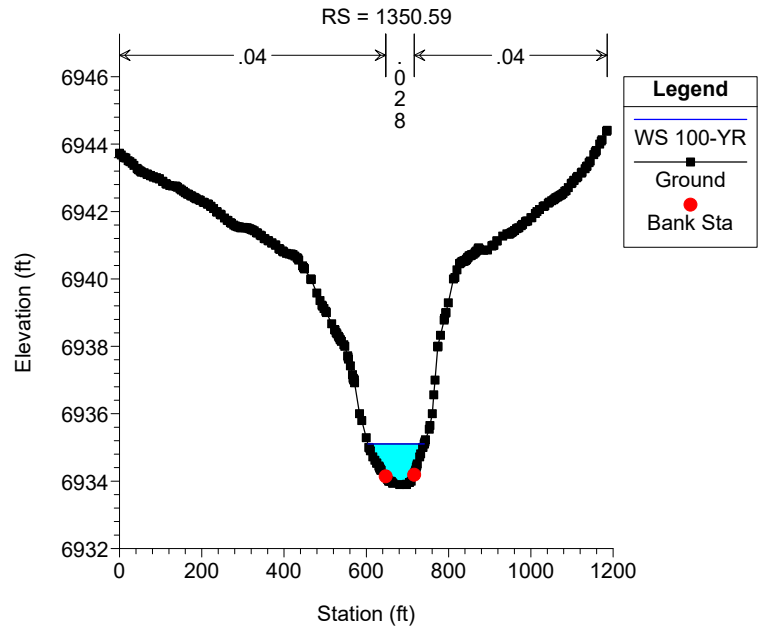
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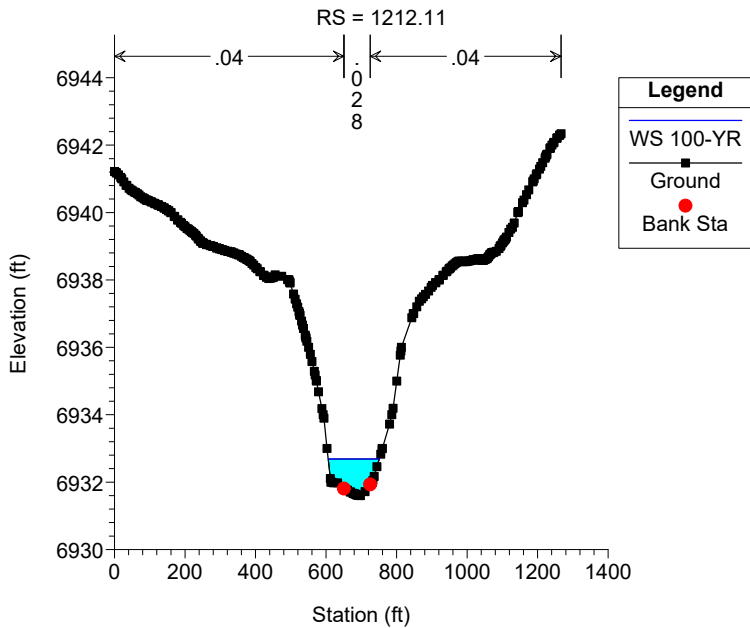
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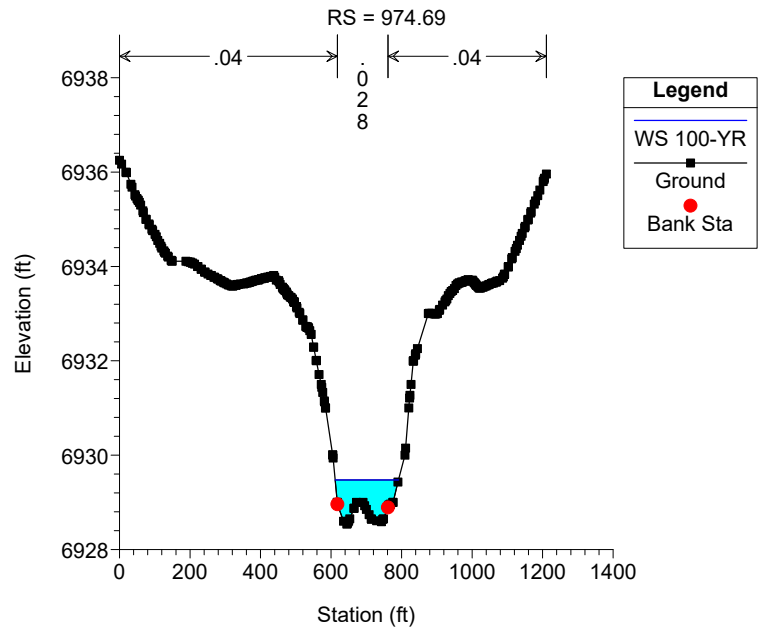
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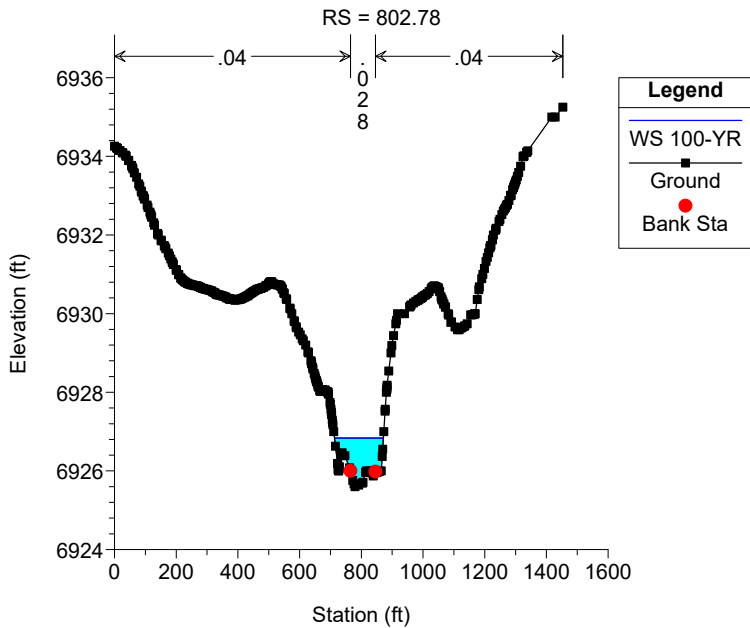
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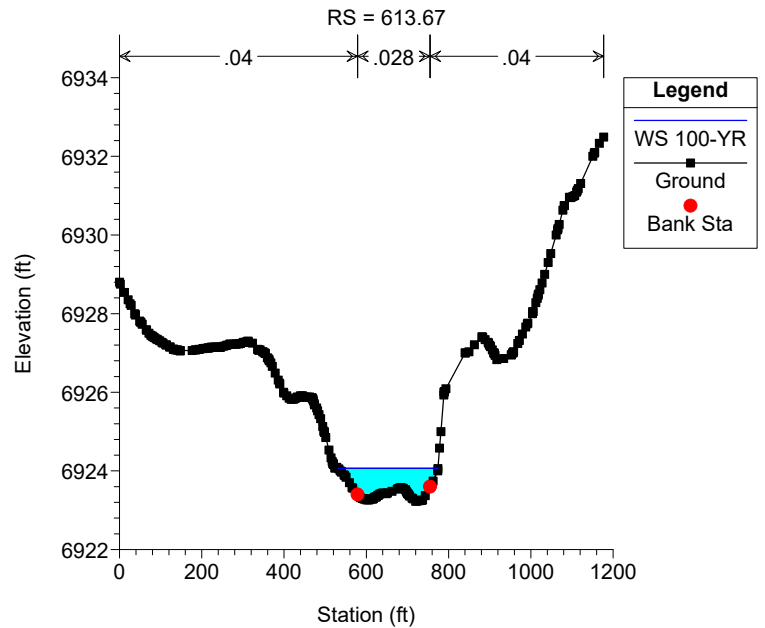
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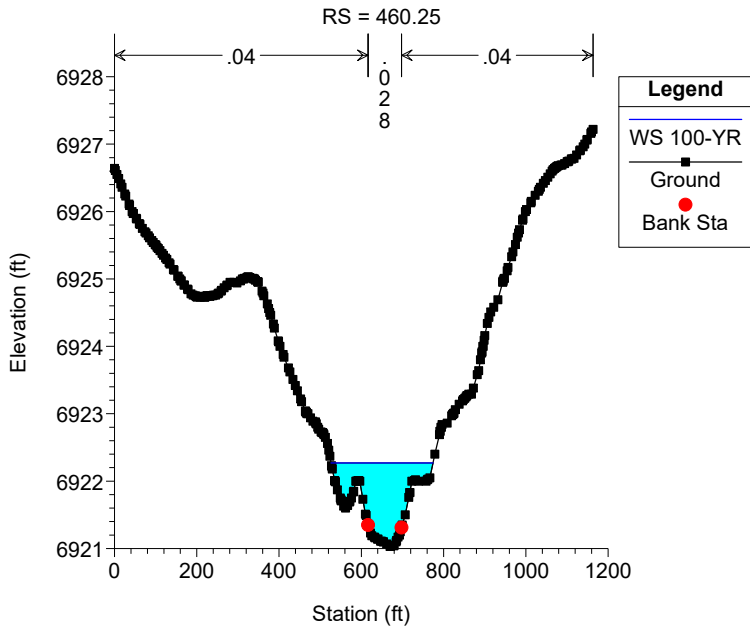
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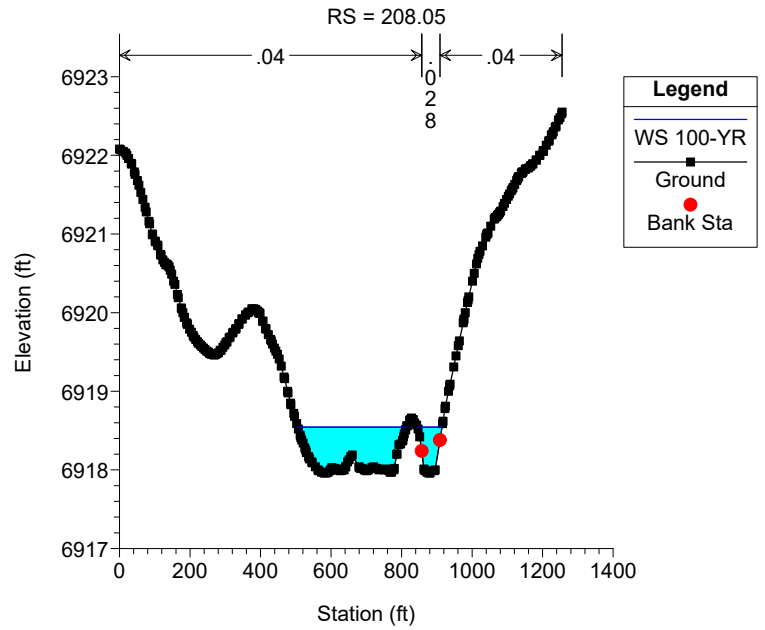
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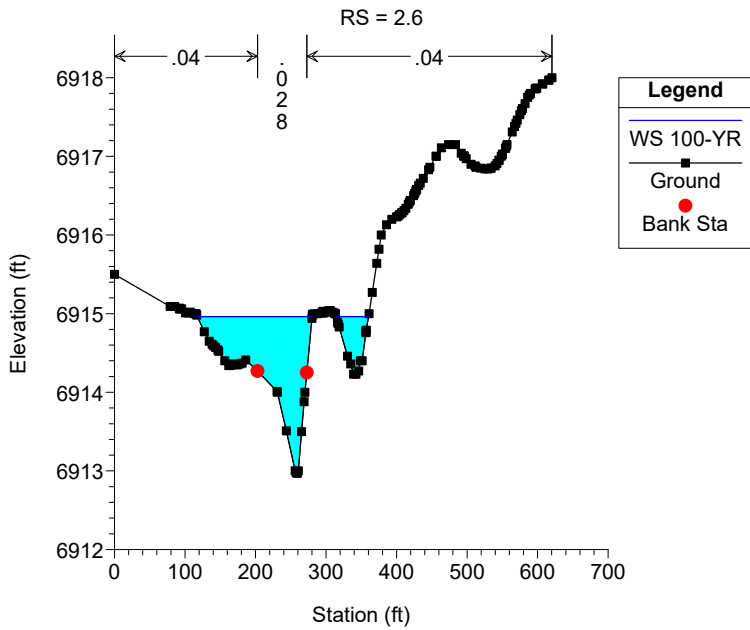
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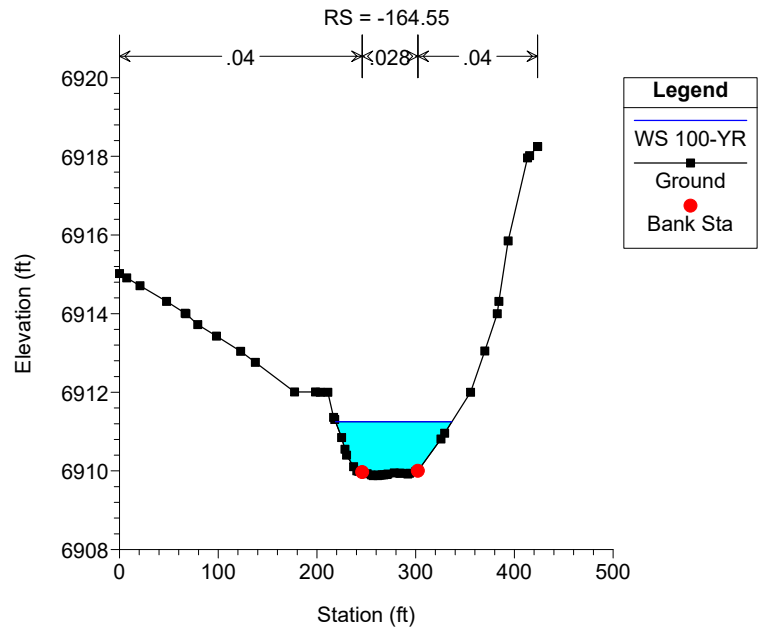
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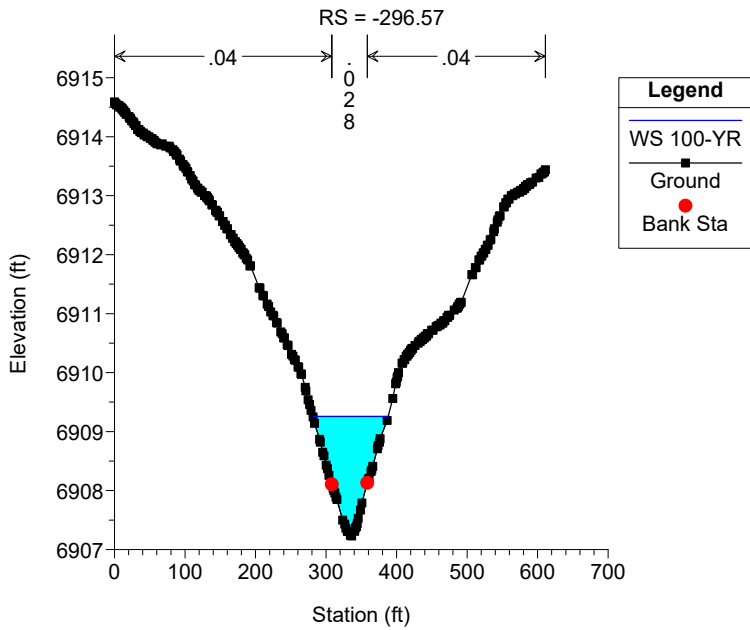
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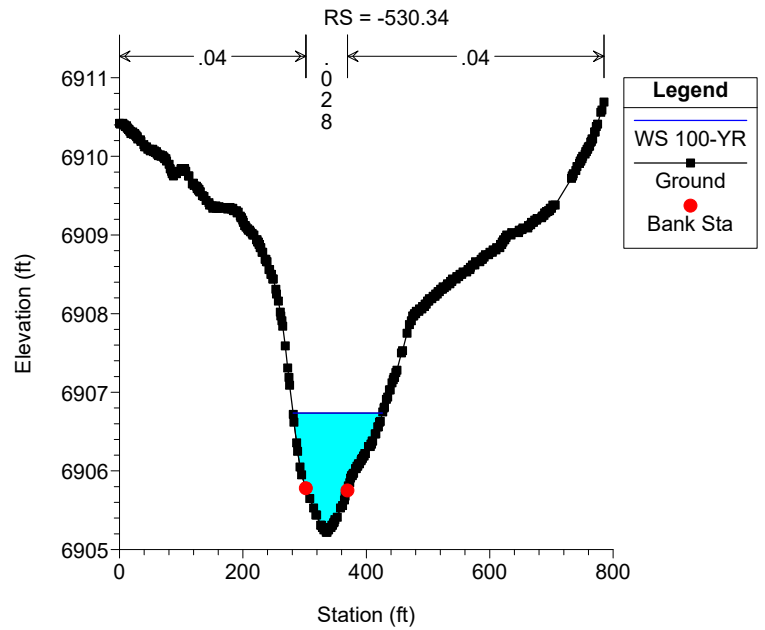
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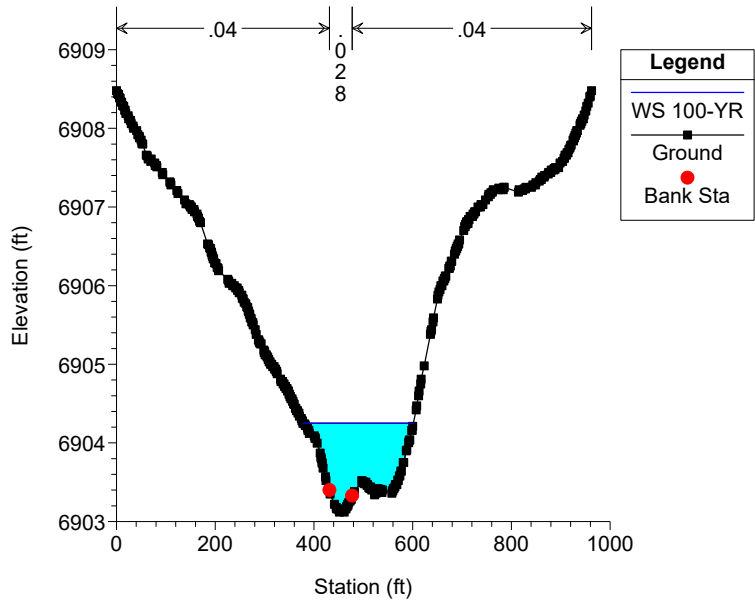
Geick Ranch Tributary 2 Plan: GRT2_Existing 3/22/2023



Geick Ranch Tributary 2 Plan: GRT2_Existing 3/22/2023

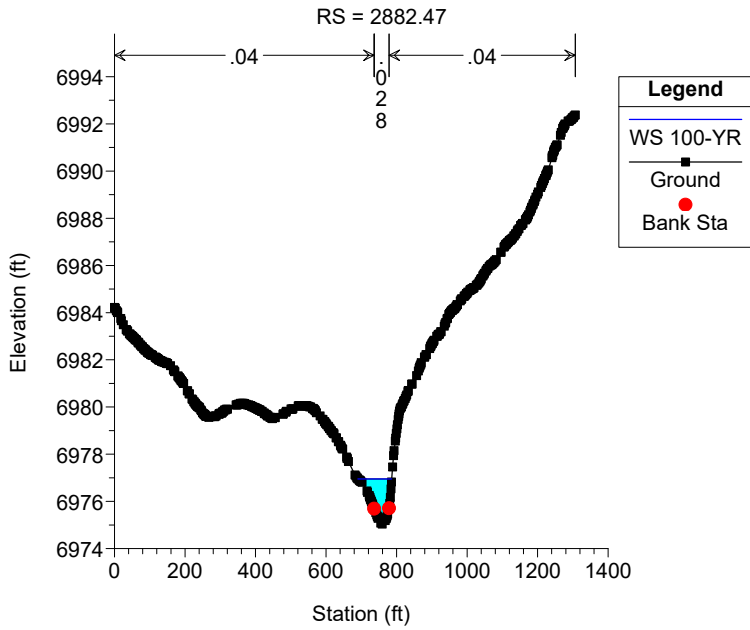


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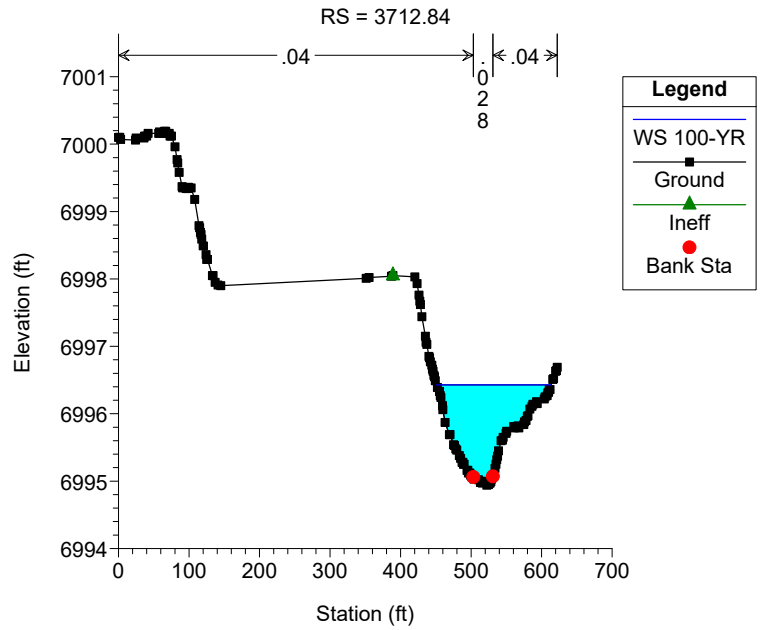


Appendix I Future Condition Cross Sections

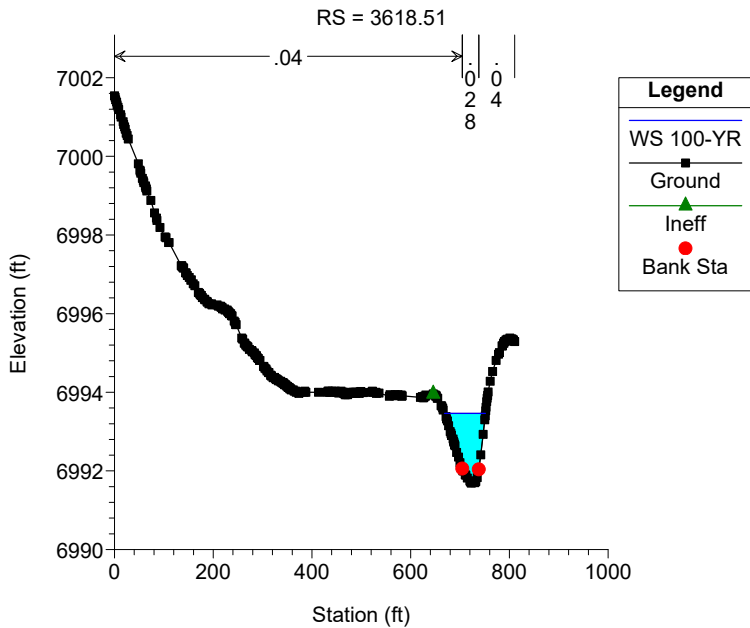
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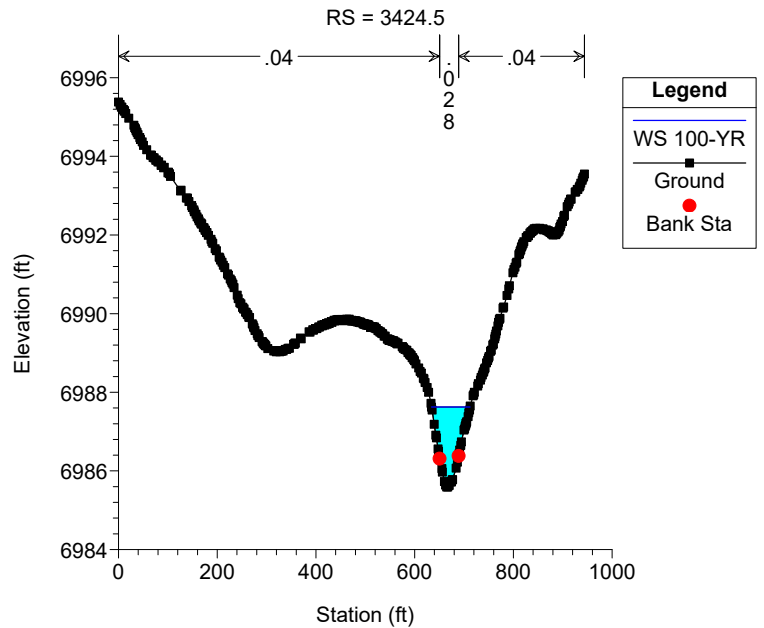
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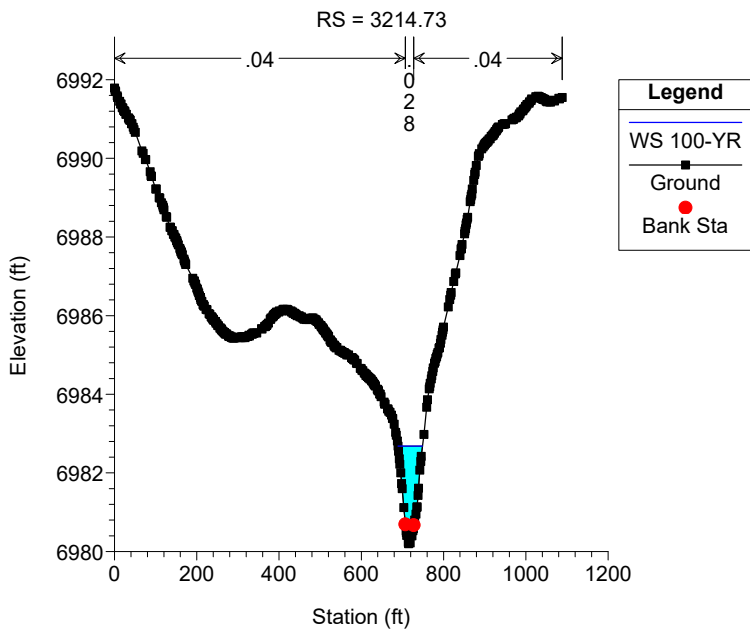
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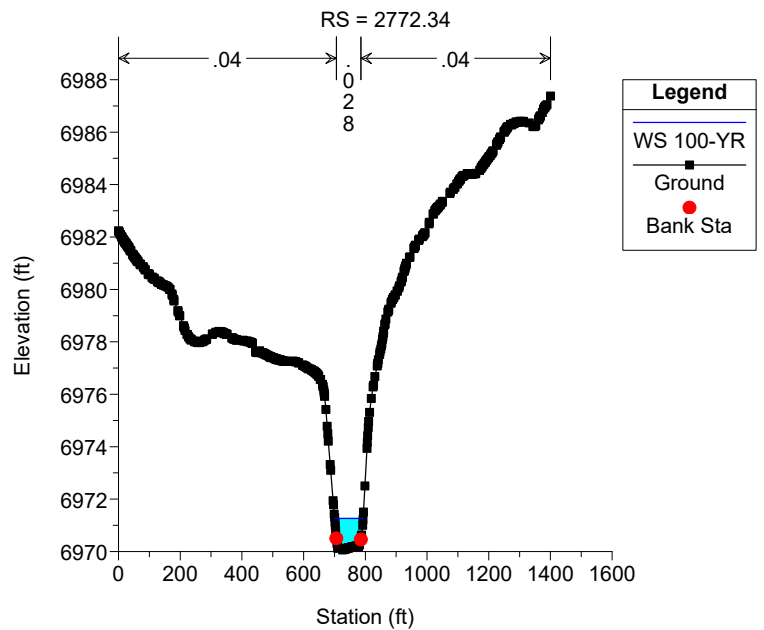
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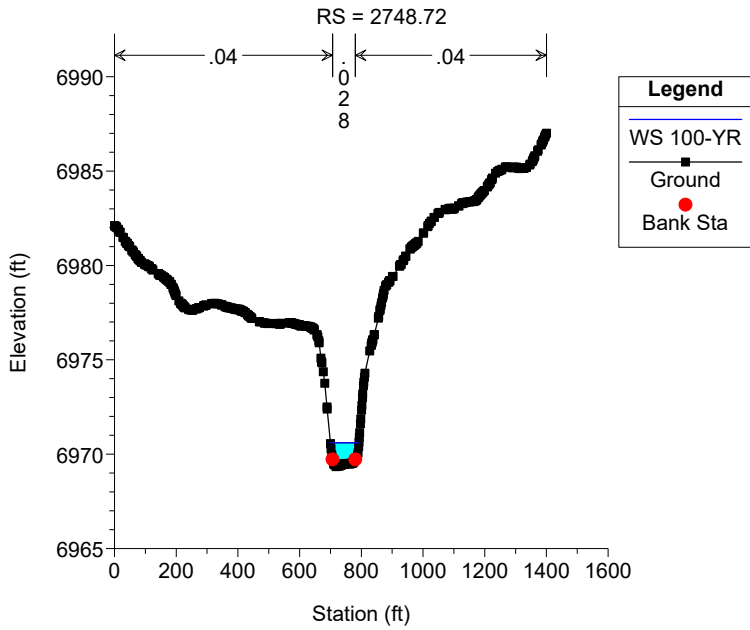
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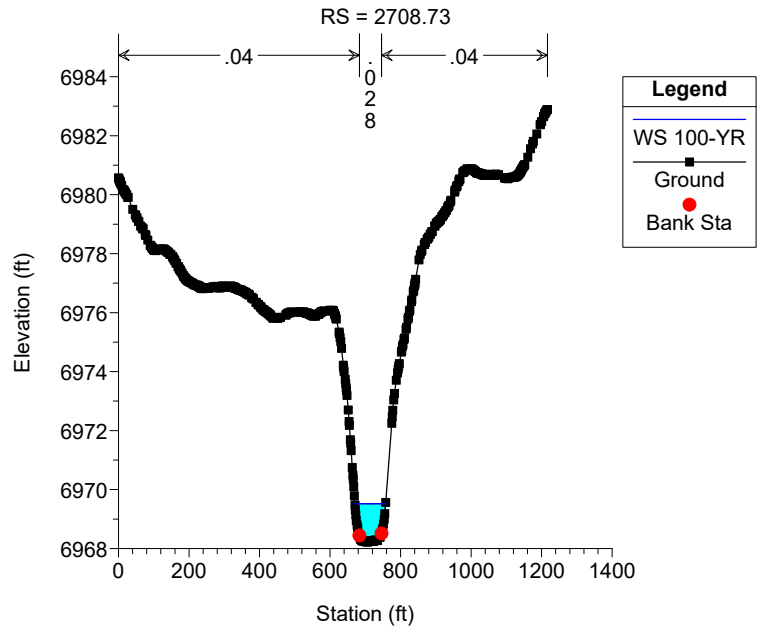
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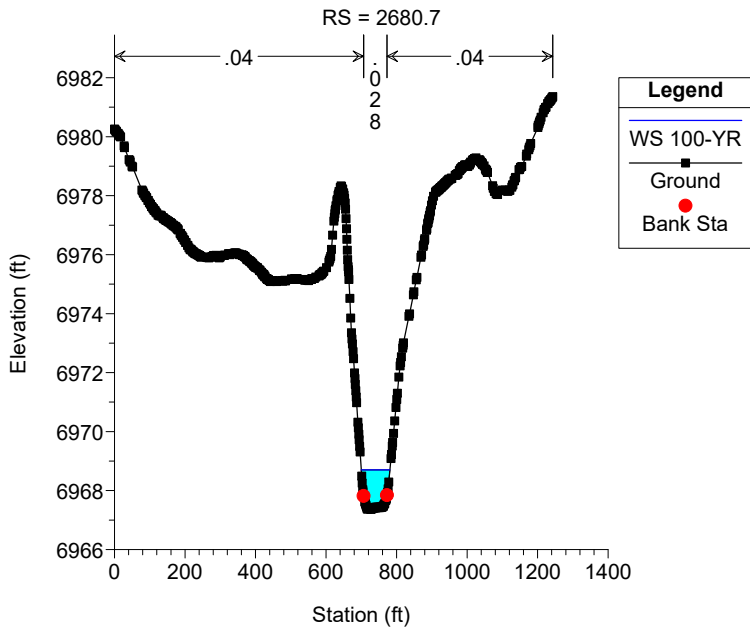
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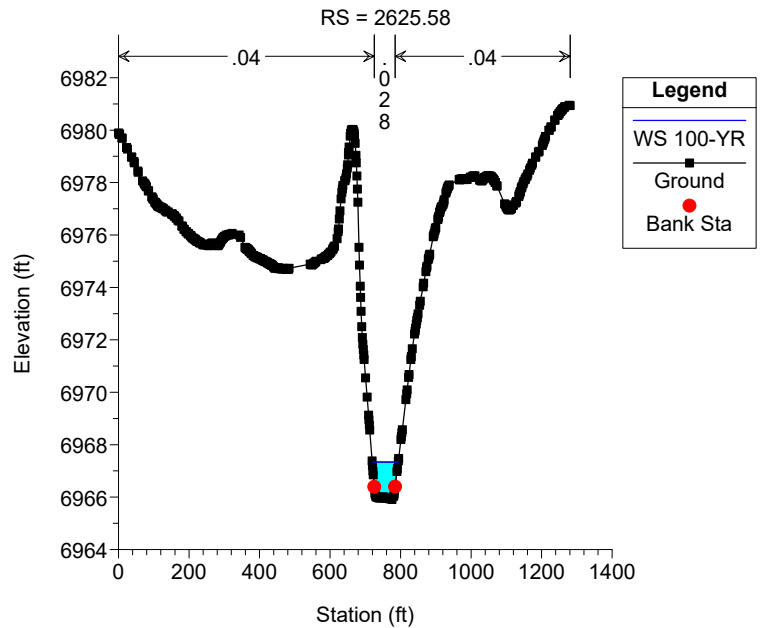
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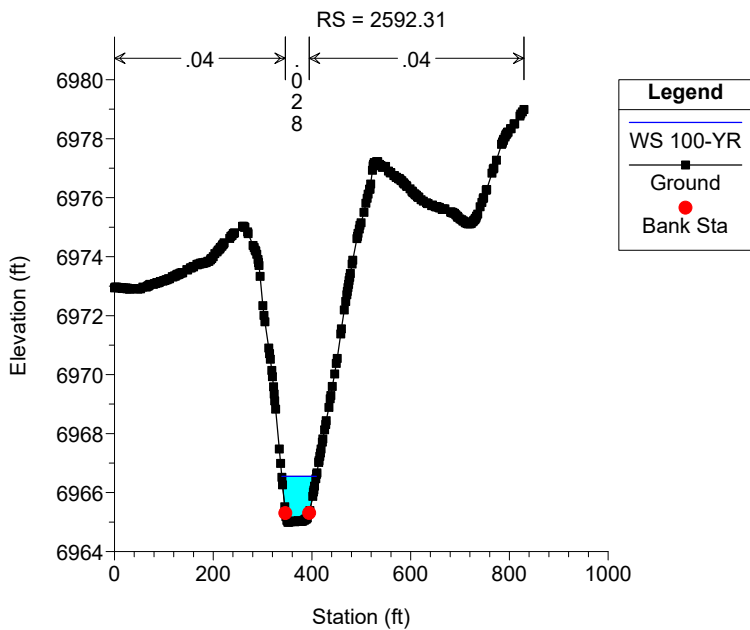
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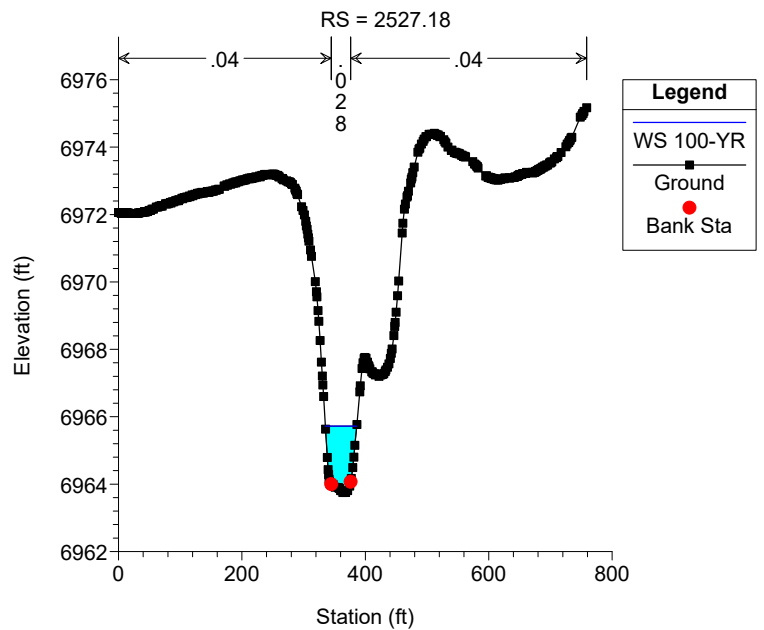
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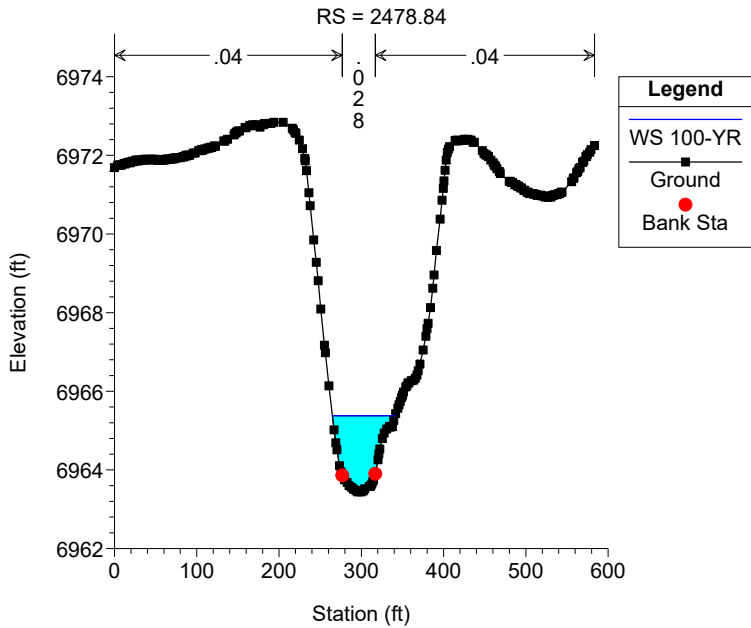
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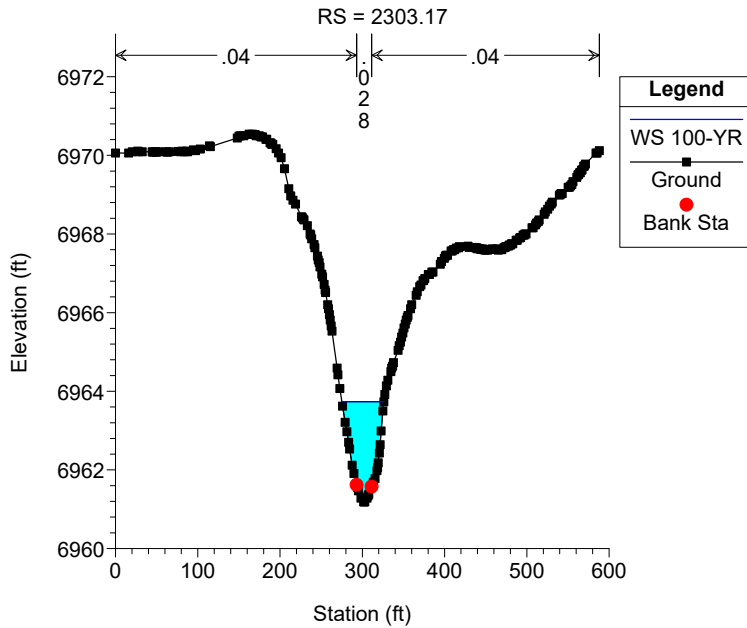
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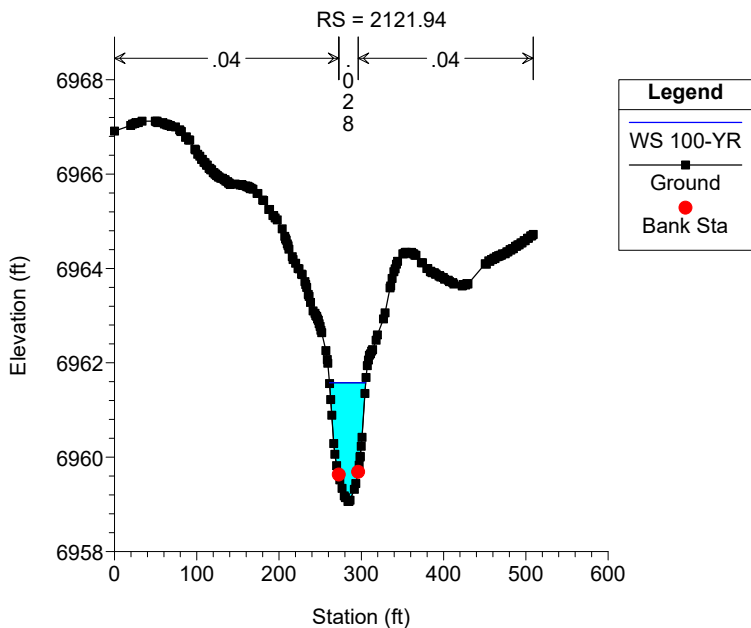
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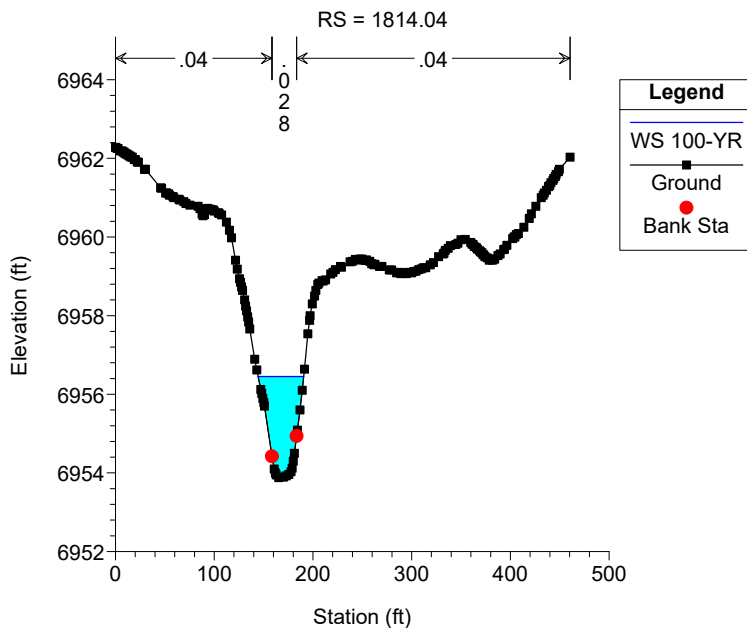
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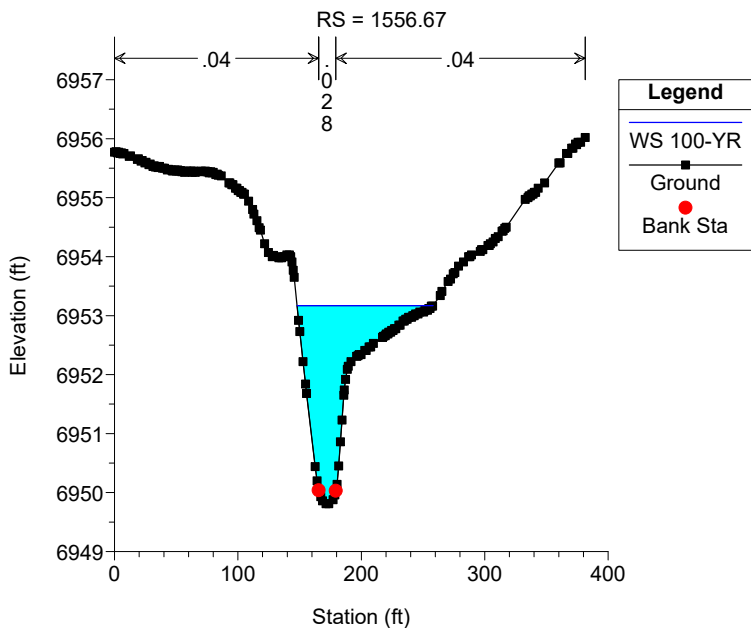
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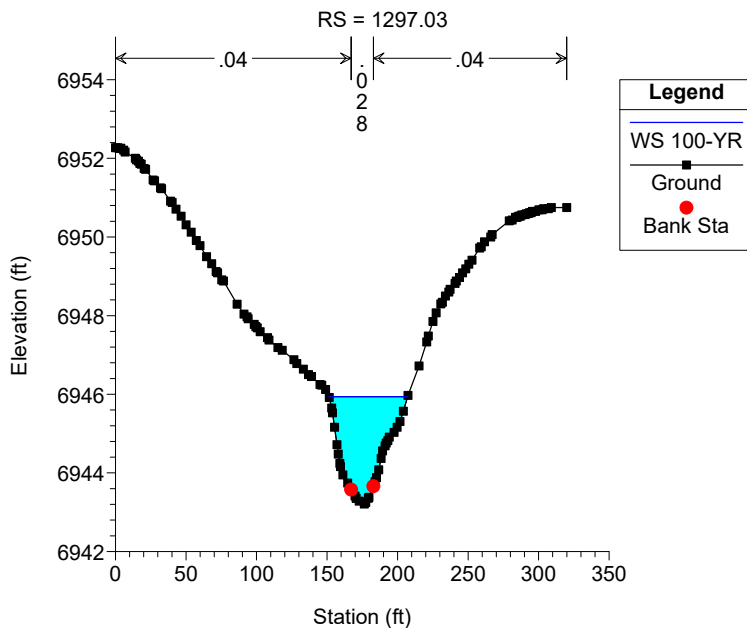
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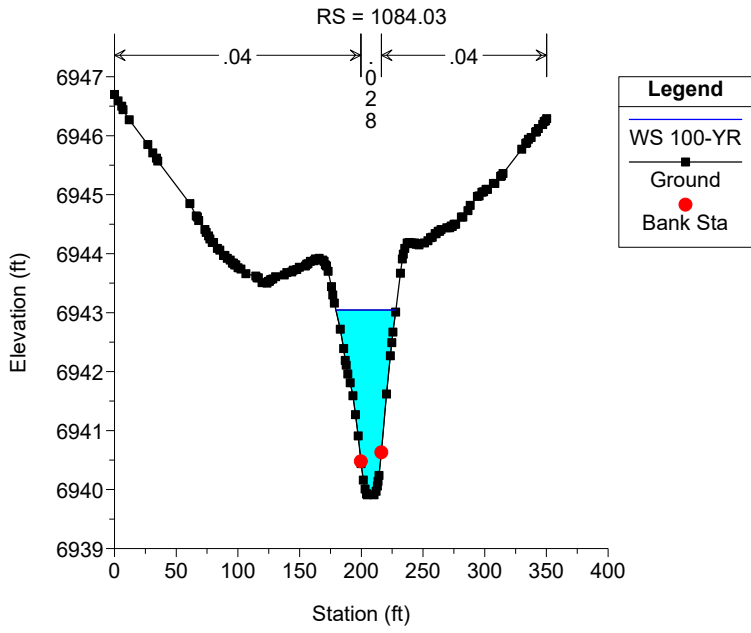
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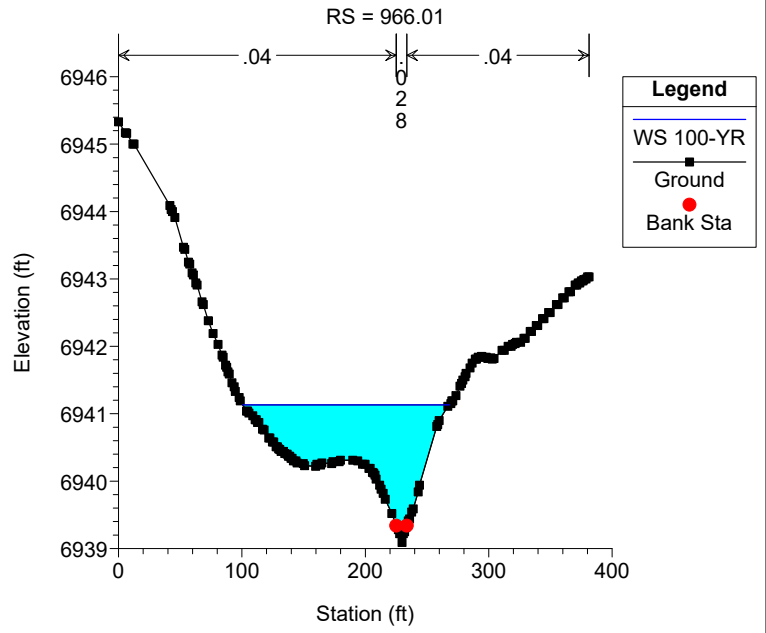
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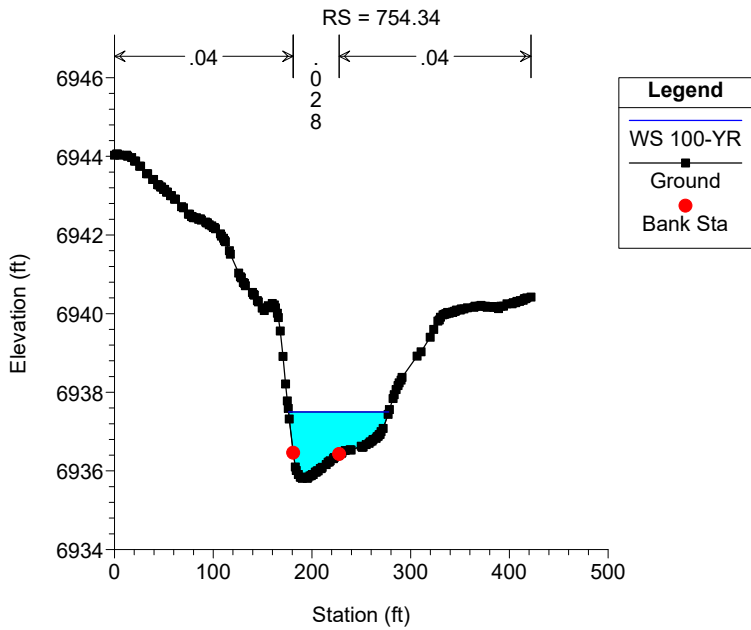
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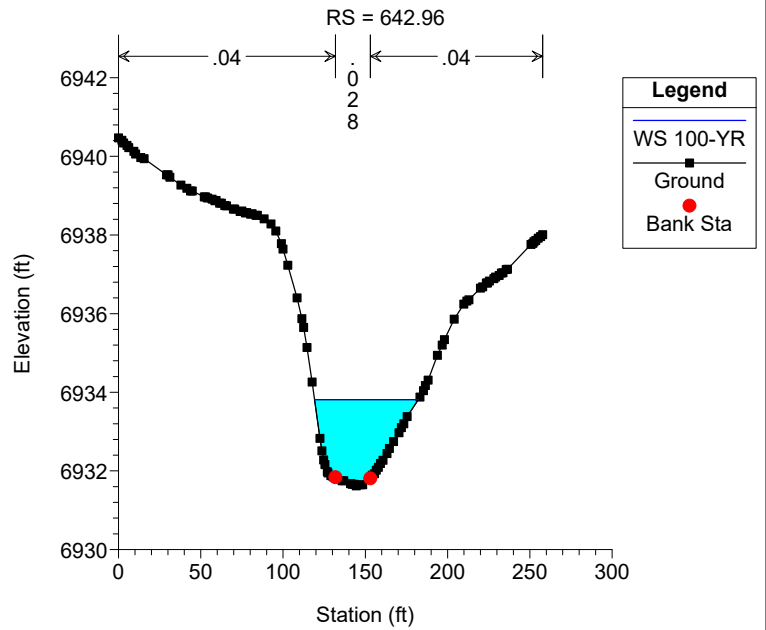
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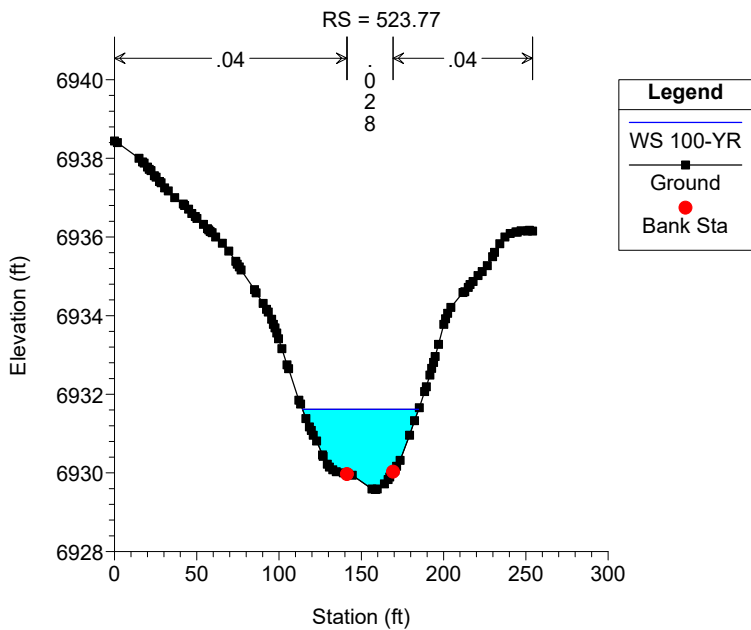
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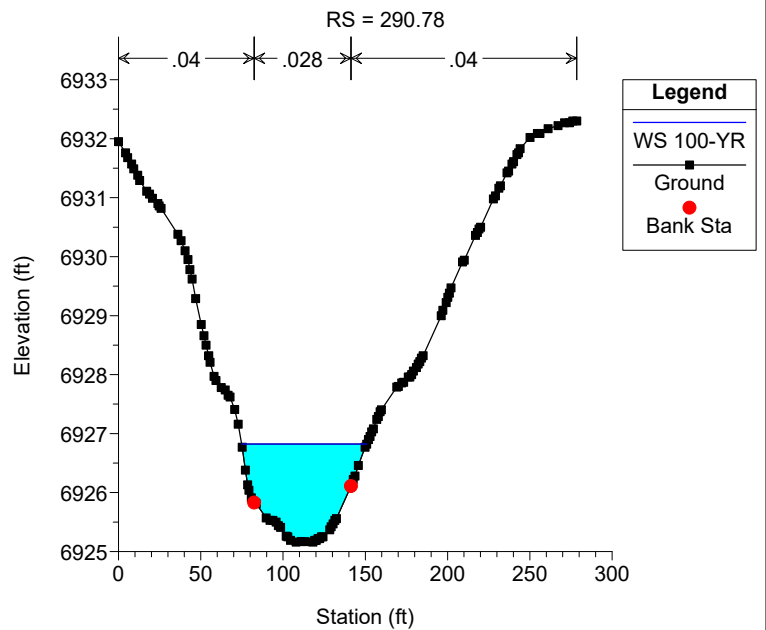
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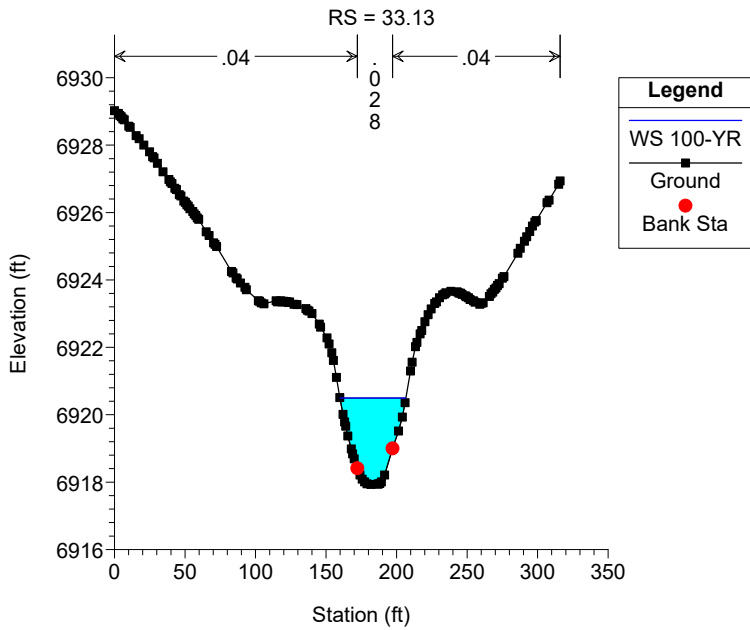
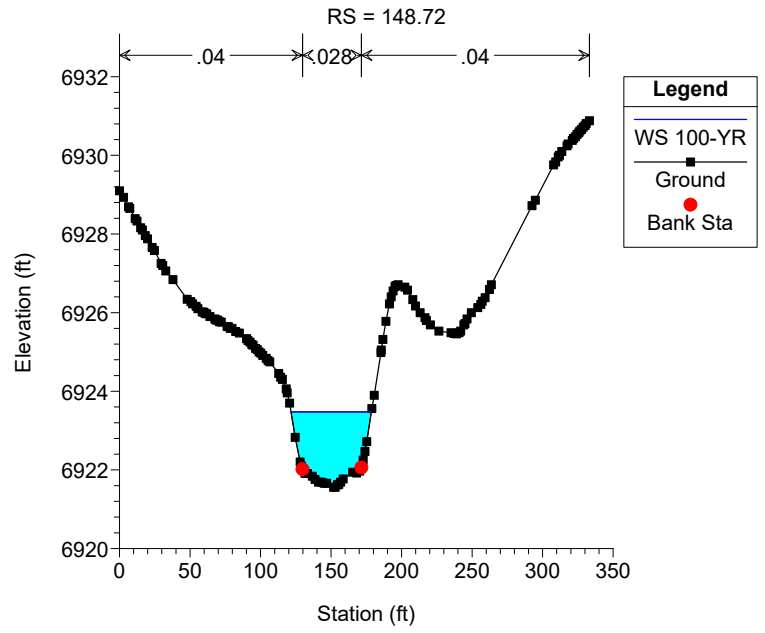
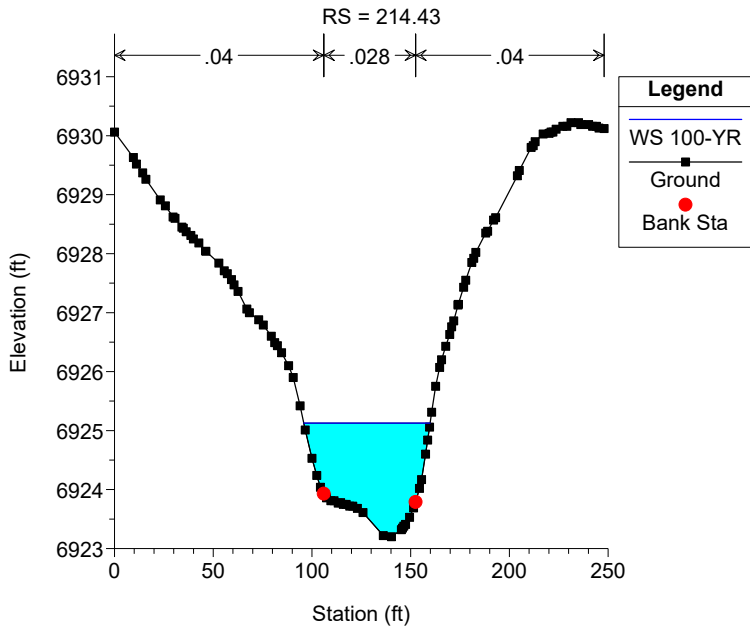


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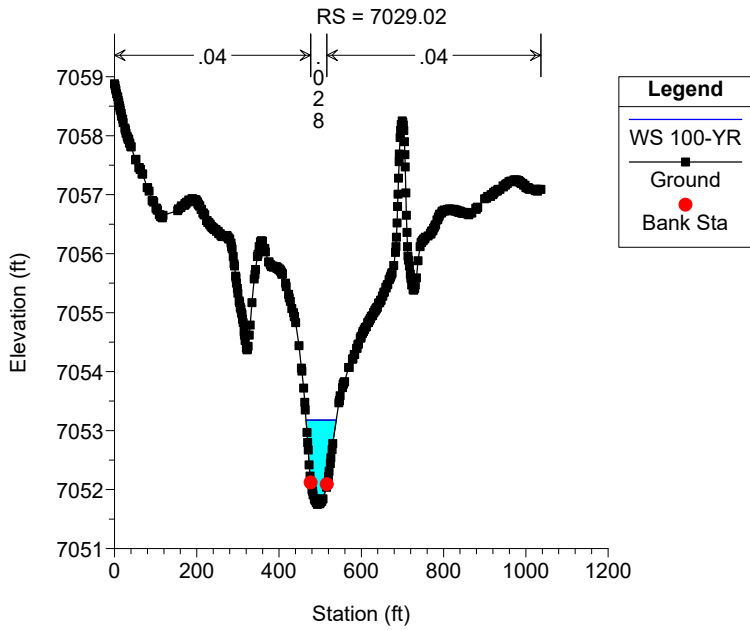


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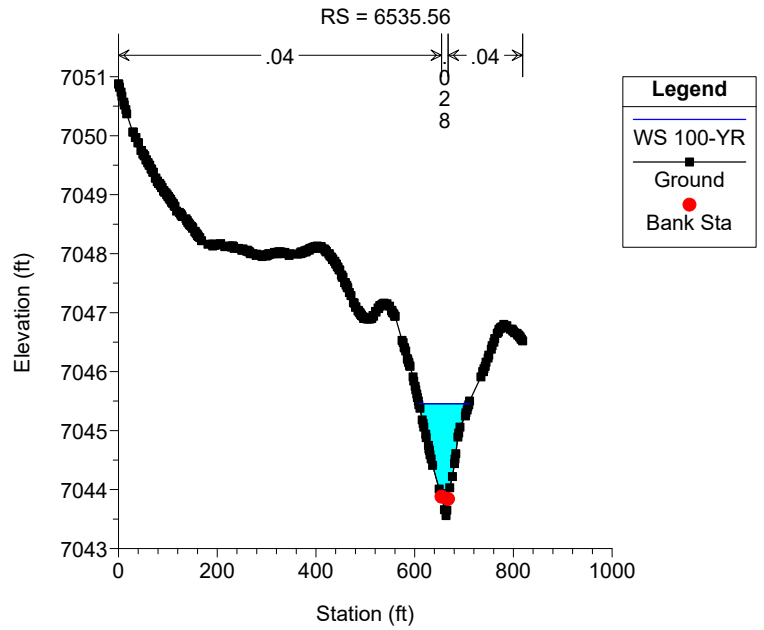




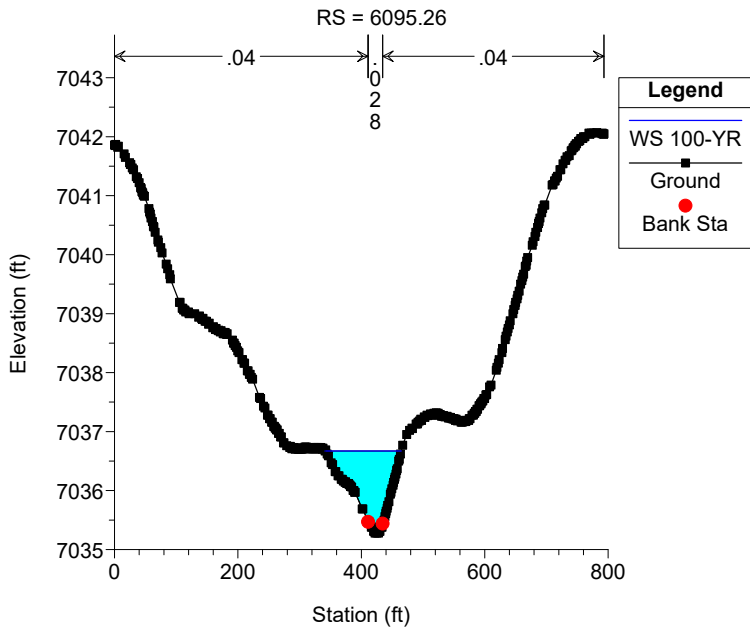
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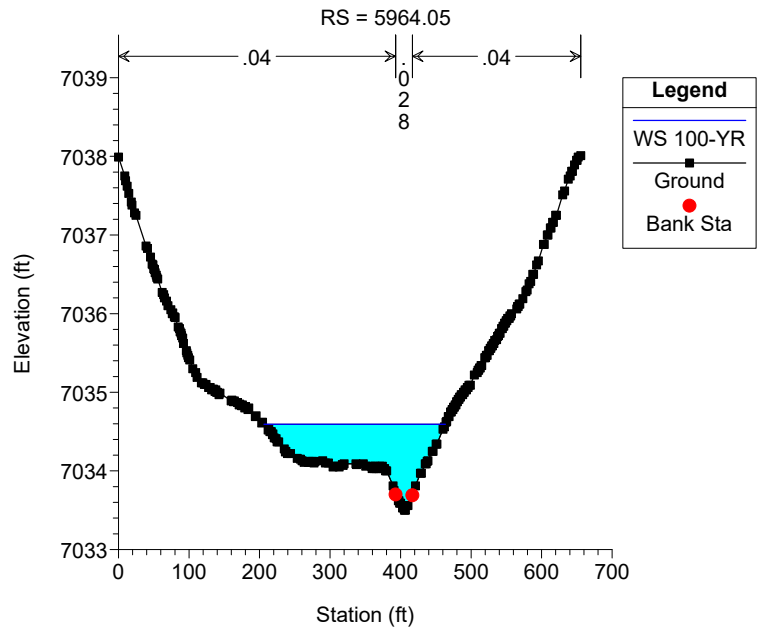
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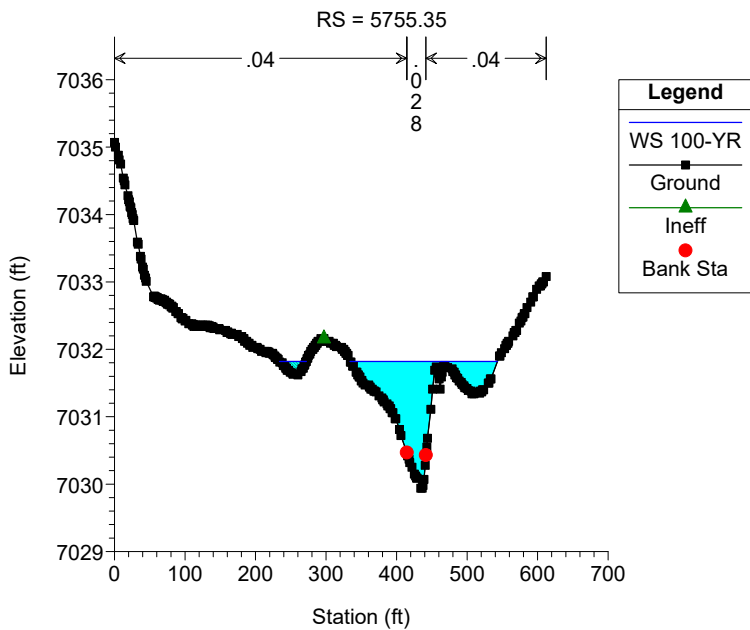
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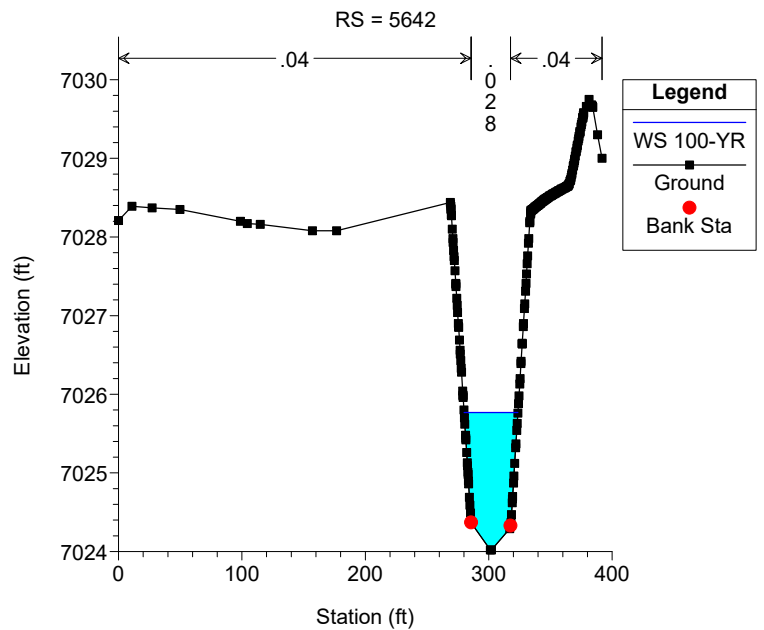
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023



Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

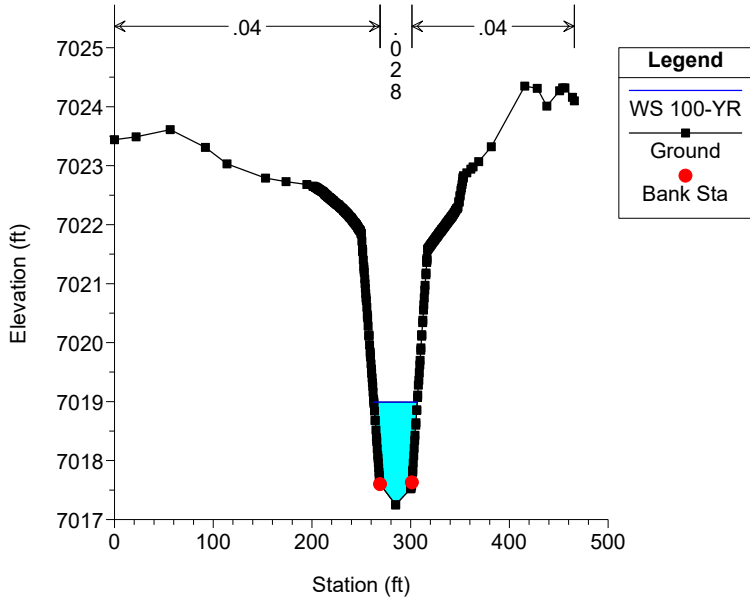


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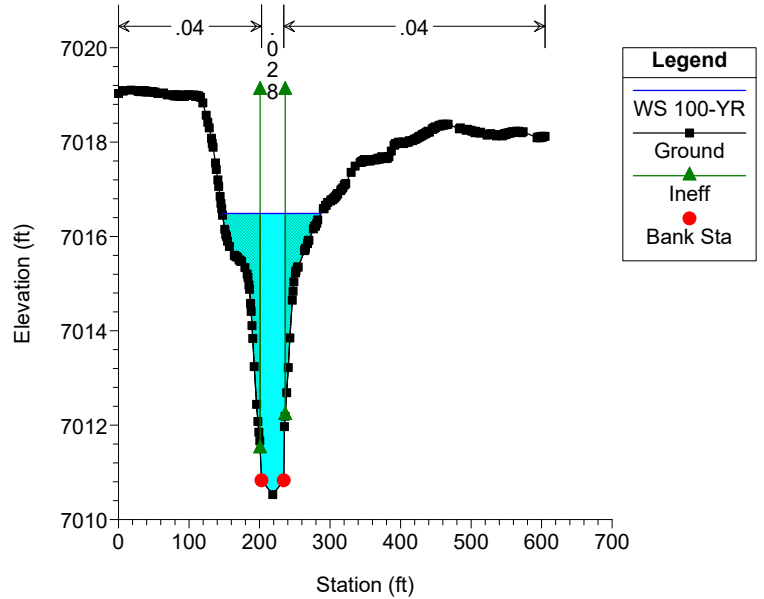
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RS = 5349



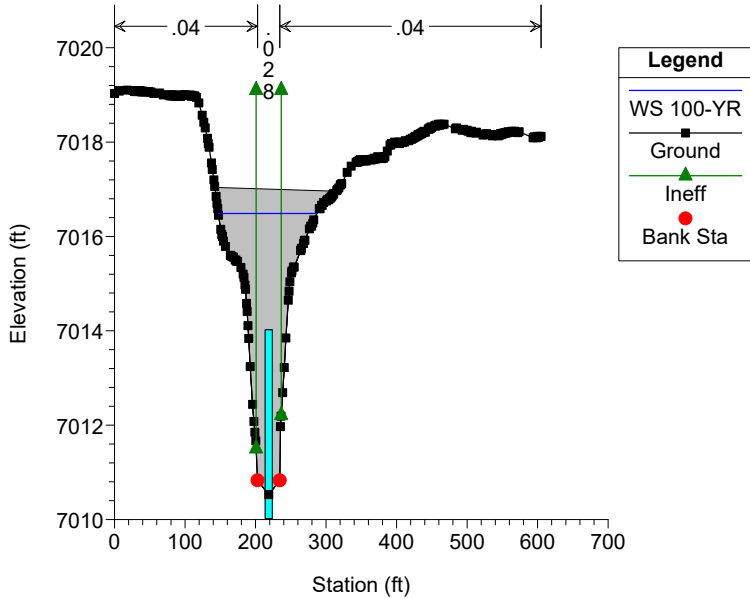
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RS = 4990



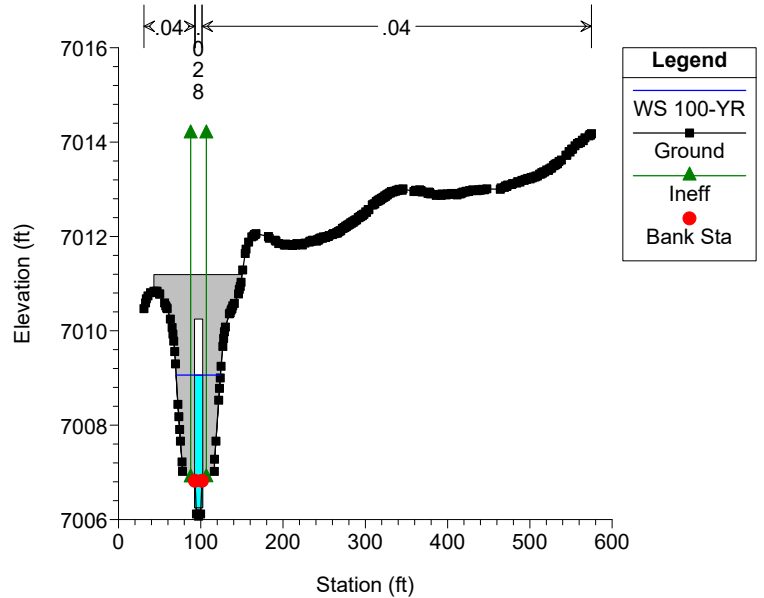
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RS = 4896 Culv



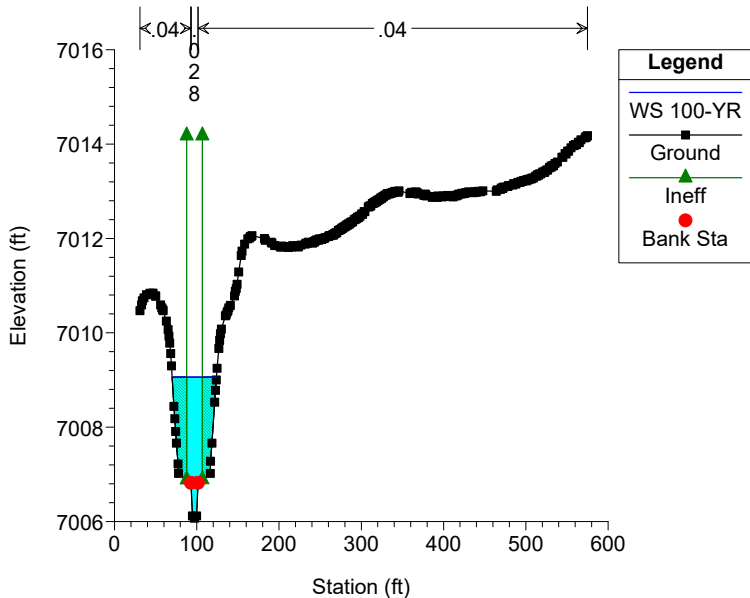
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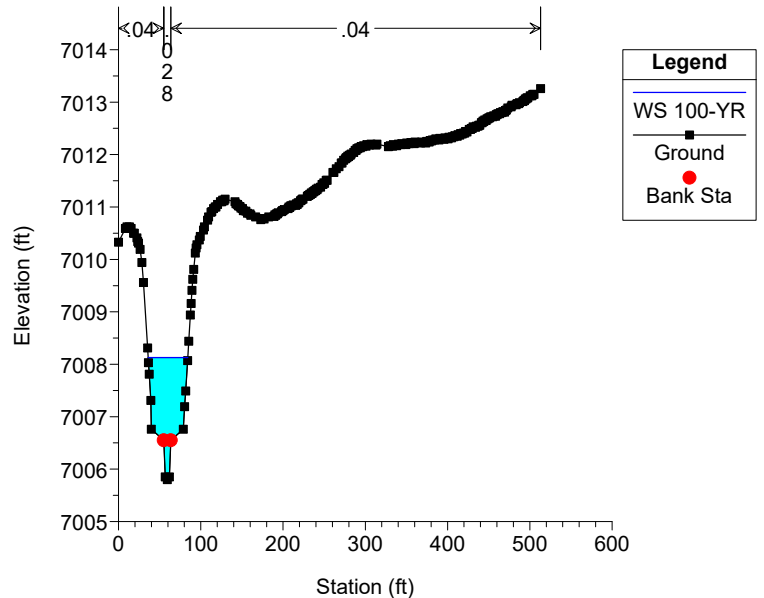
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RS = 4730

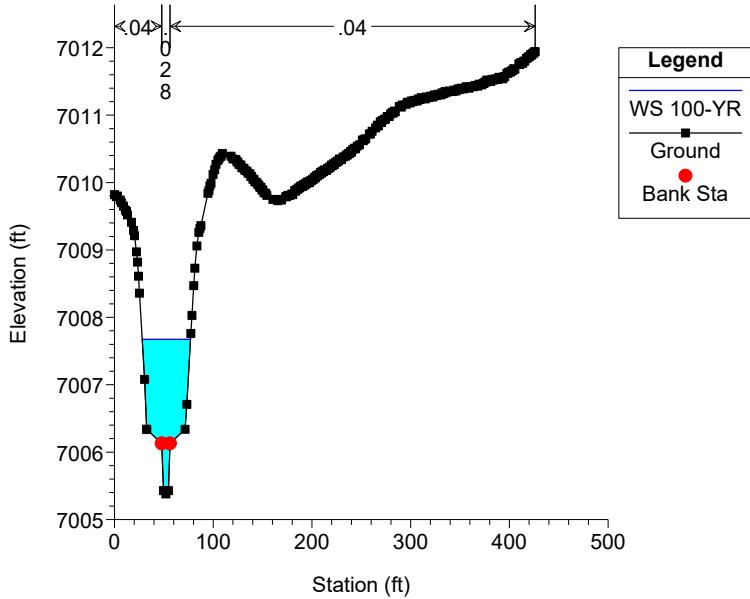


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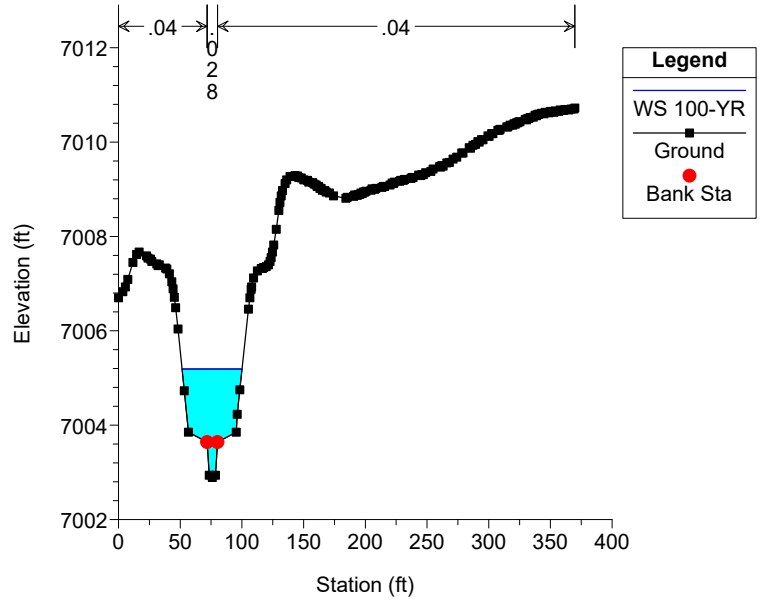
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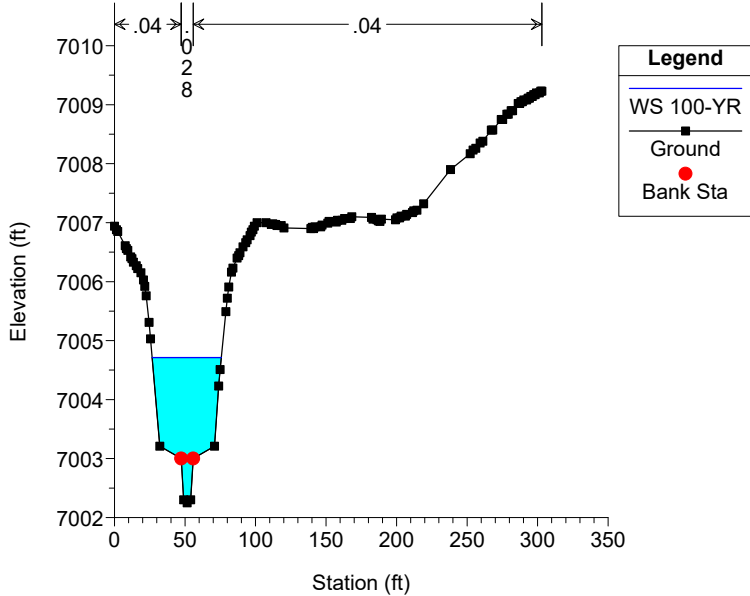
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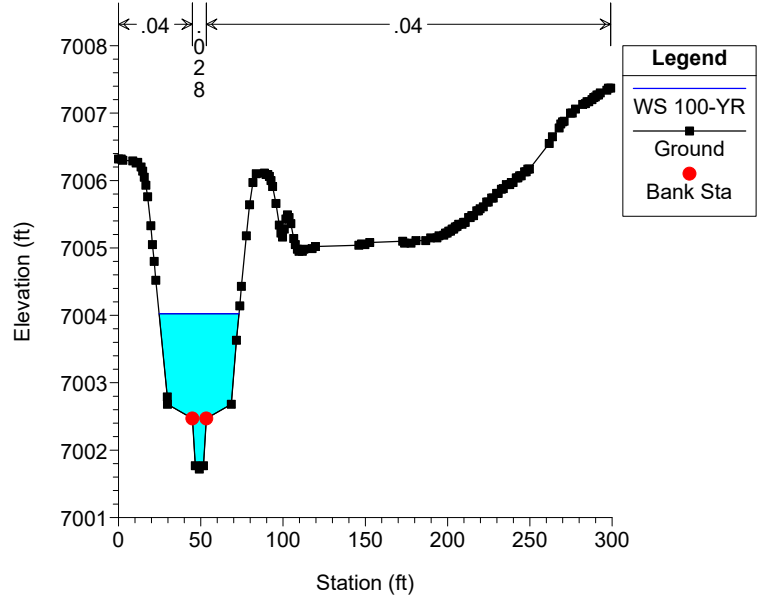
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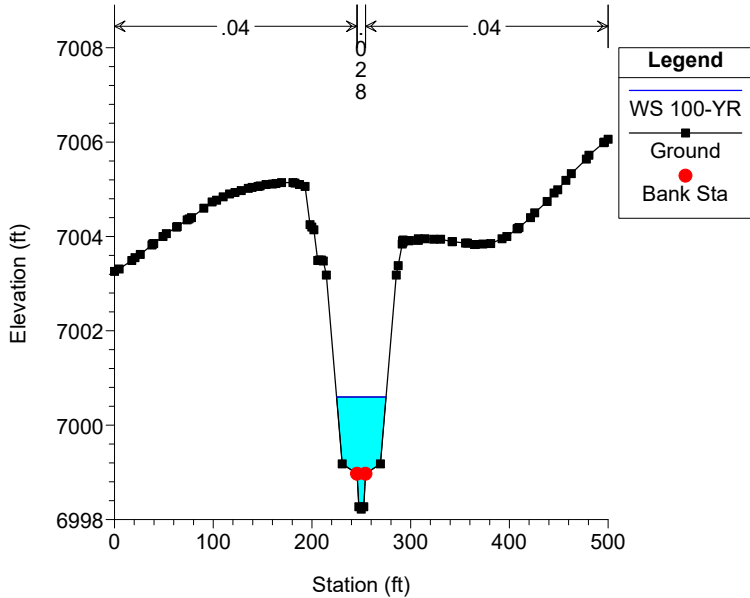
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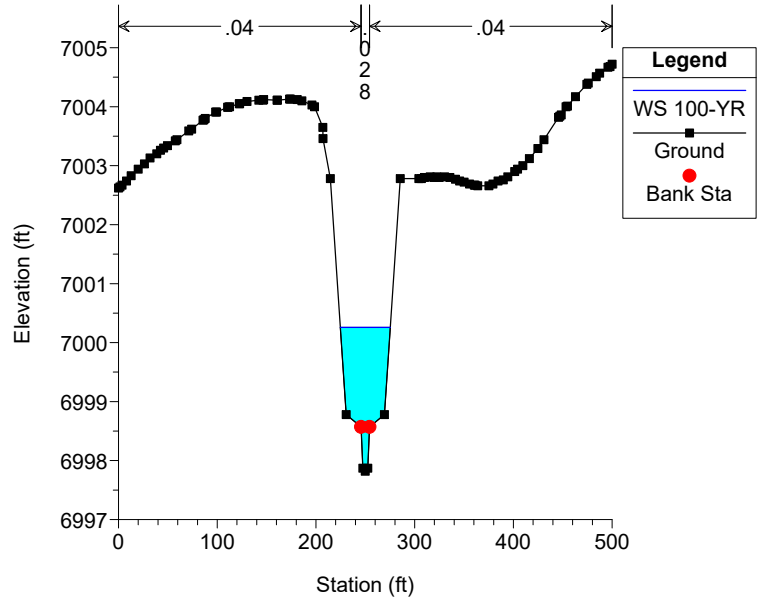
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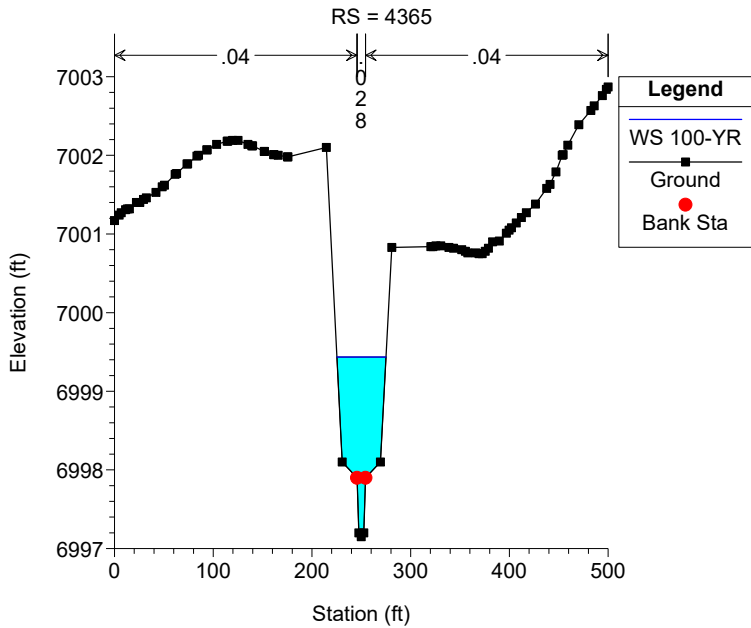
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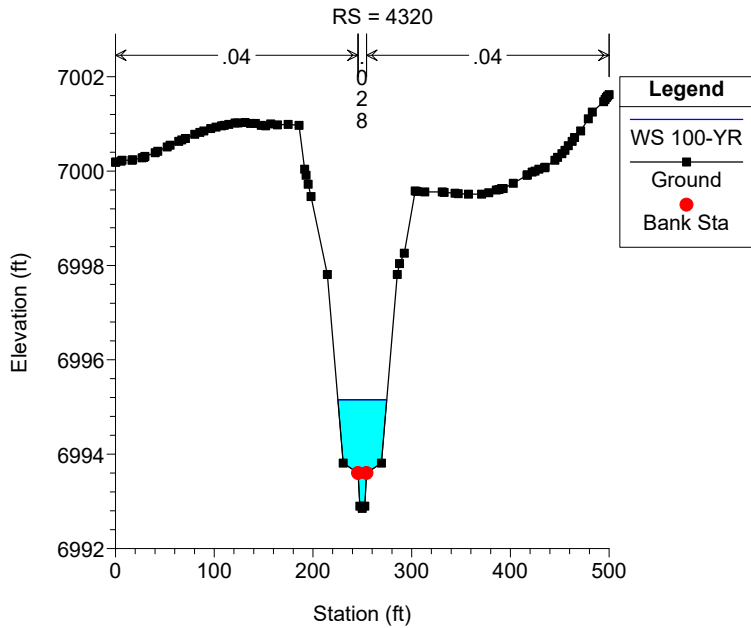
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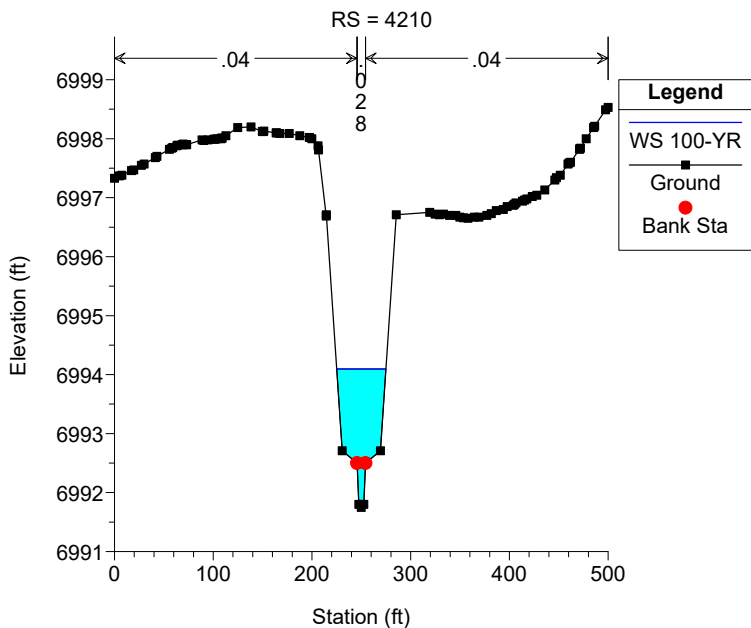
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023



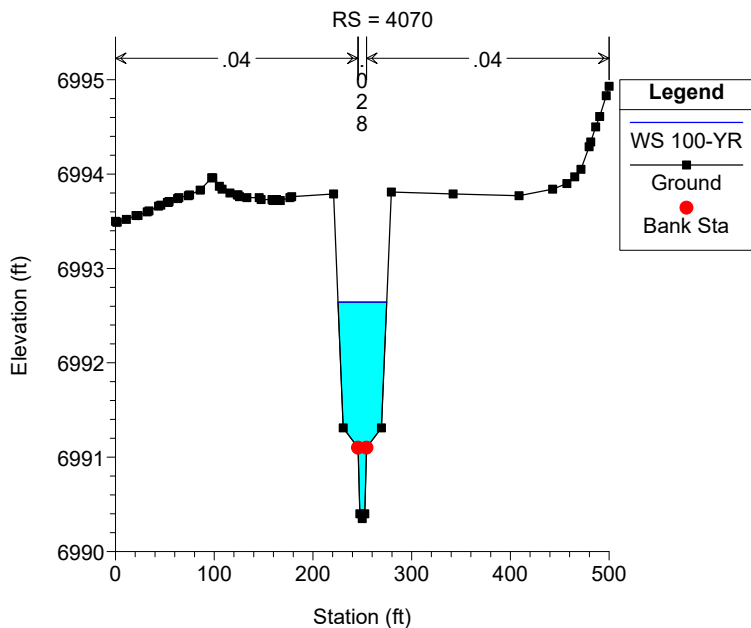
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023



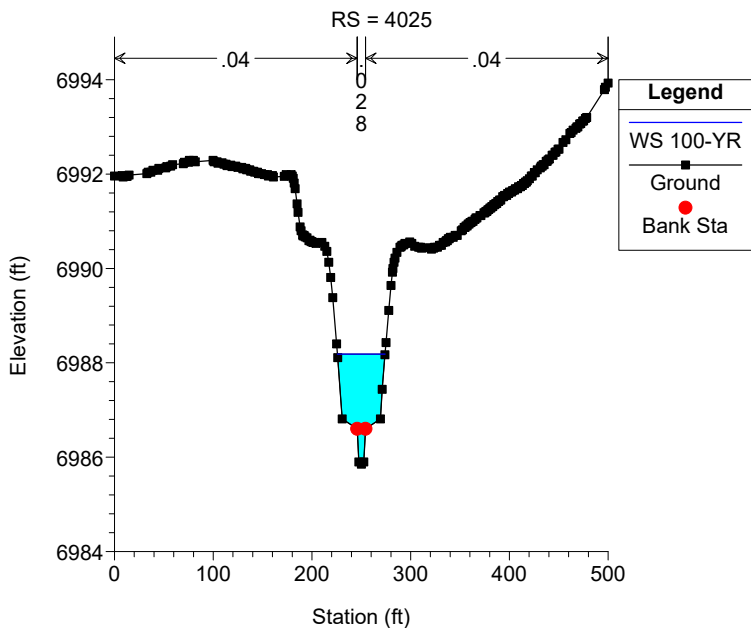
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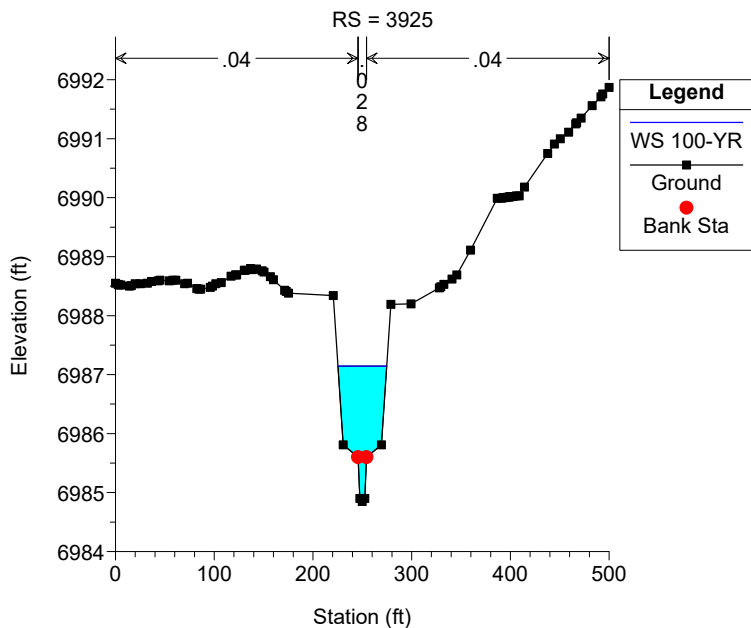
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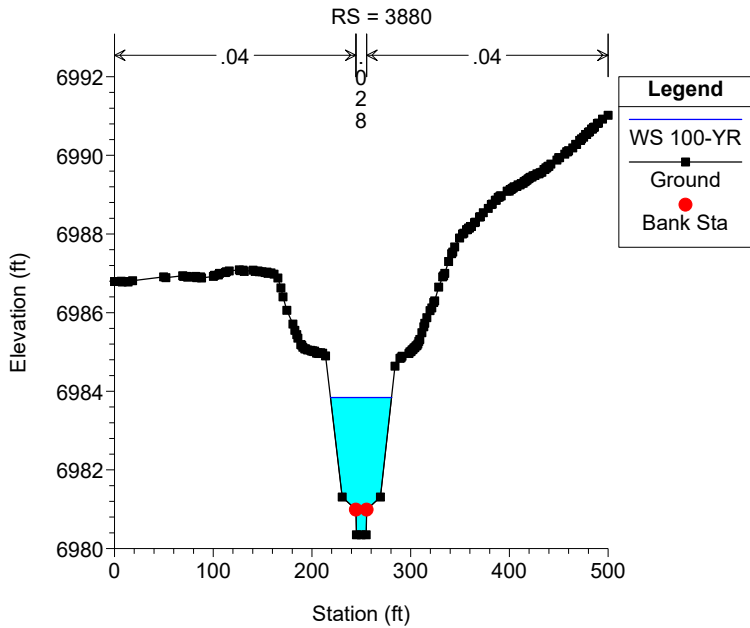
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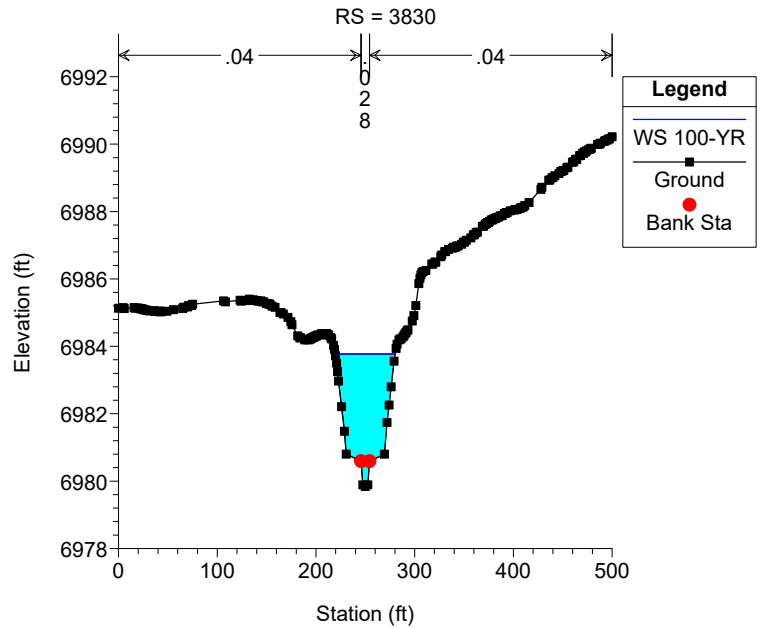
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Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

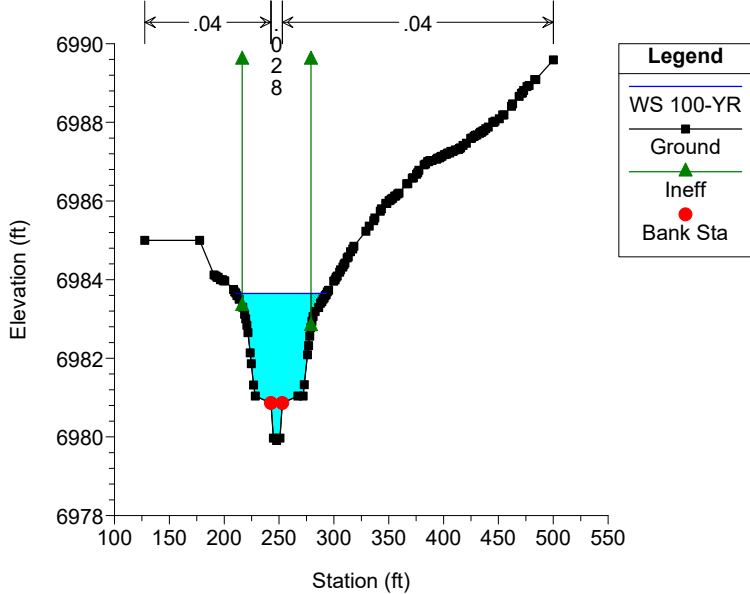


Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023



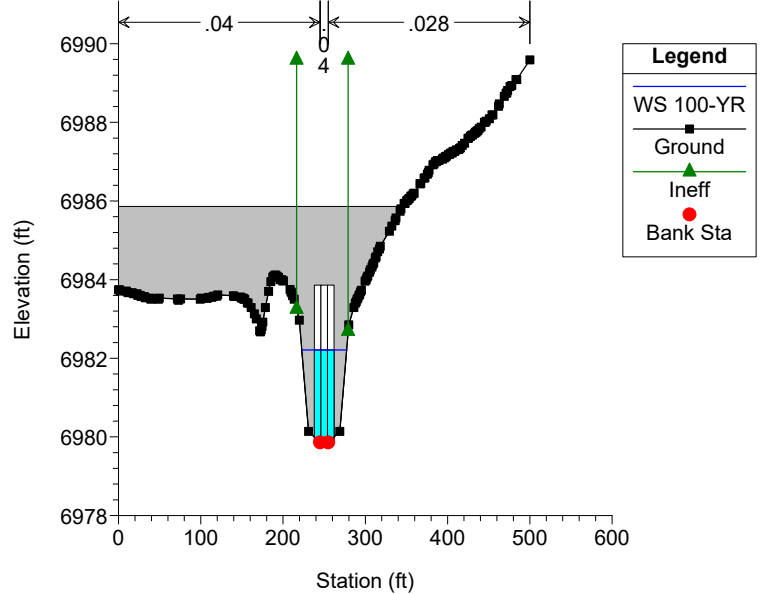
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3760 The left side of this cross section includes proposed grading of



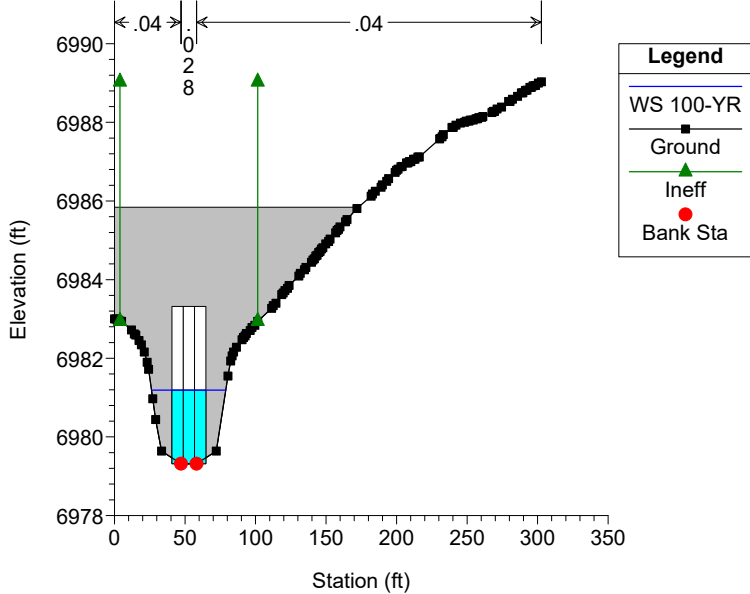
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3705 Culv



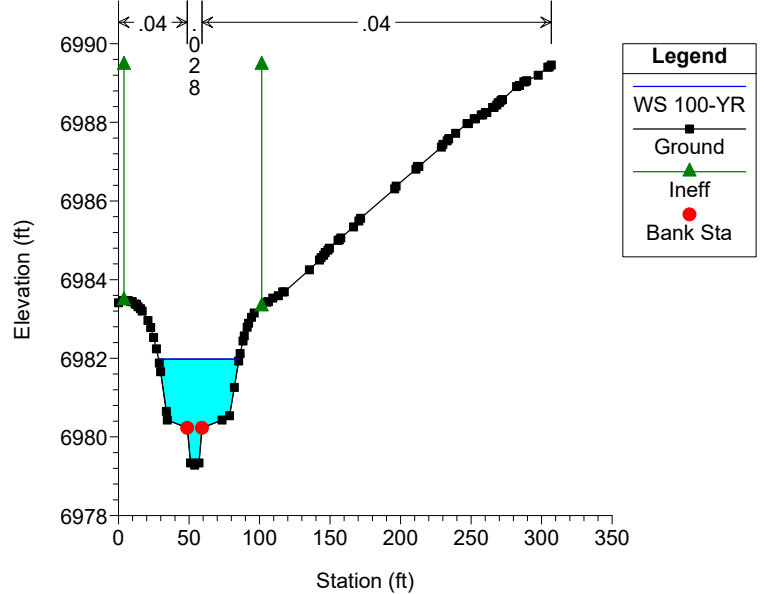
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3705 Culv



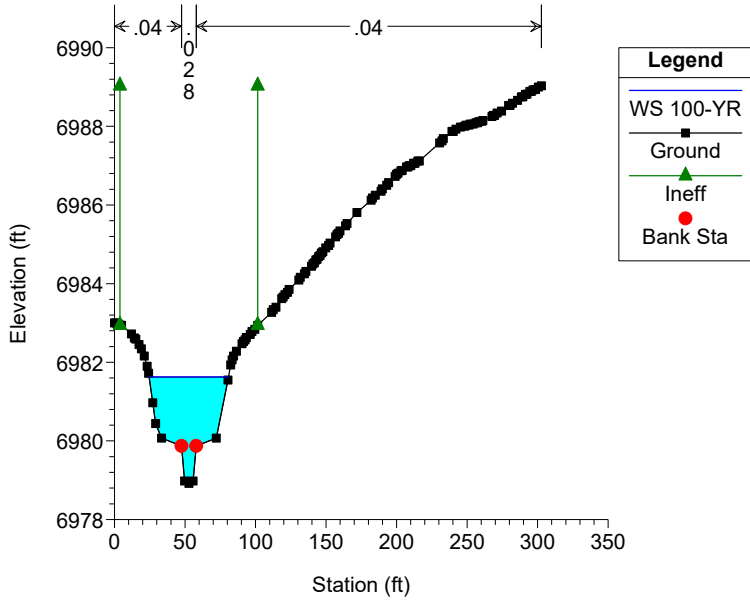
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3685



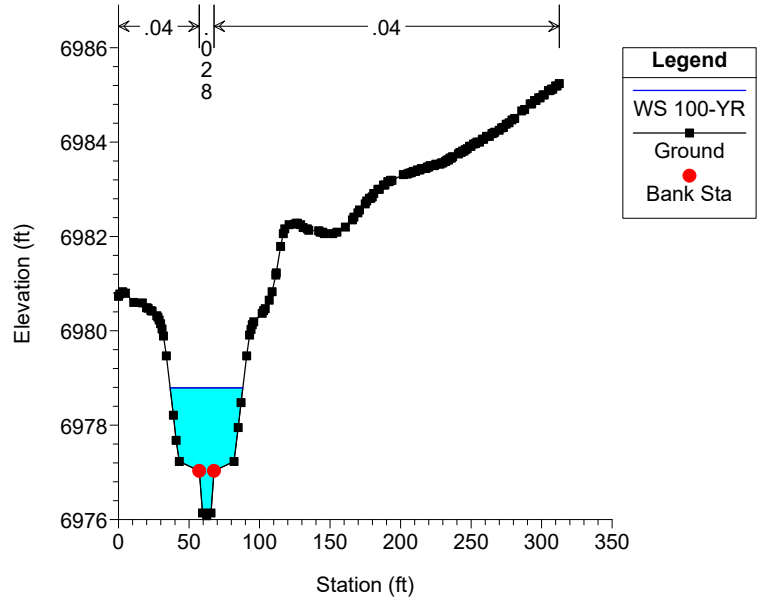
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3650



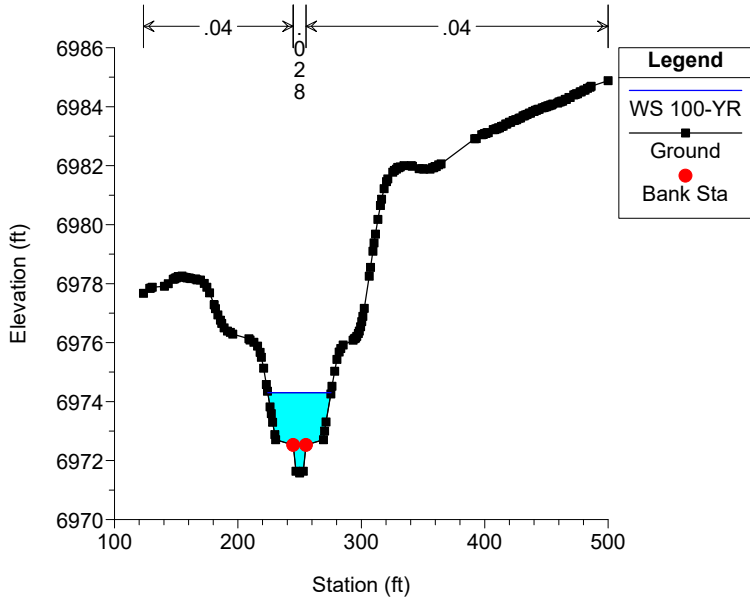
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3405



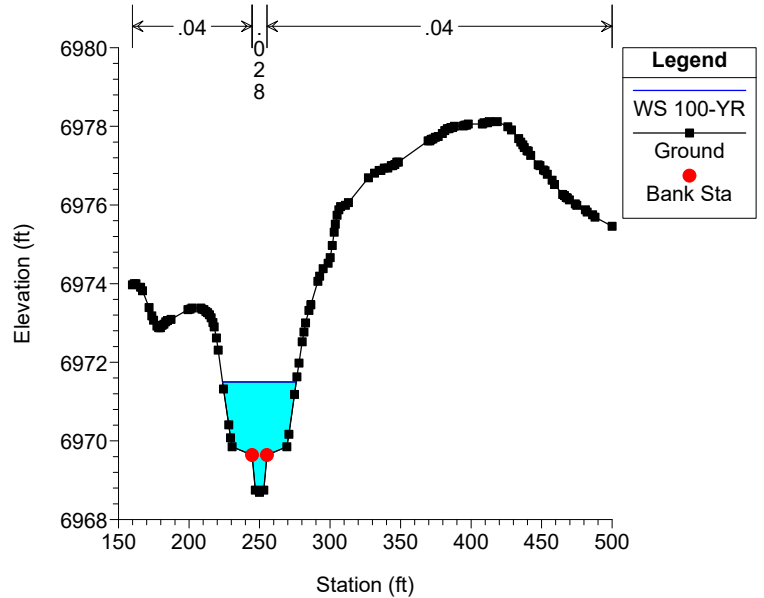
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3360



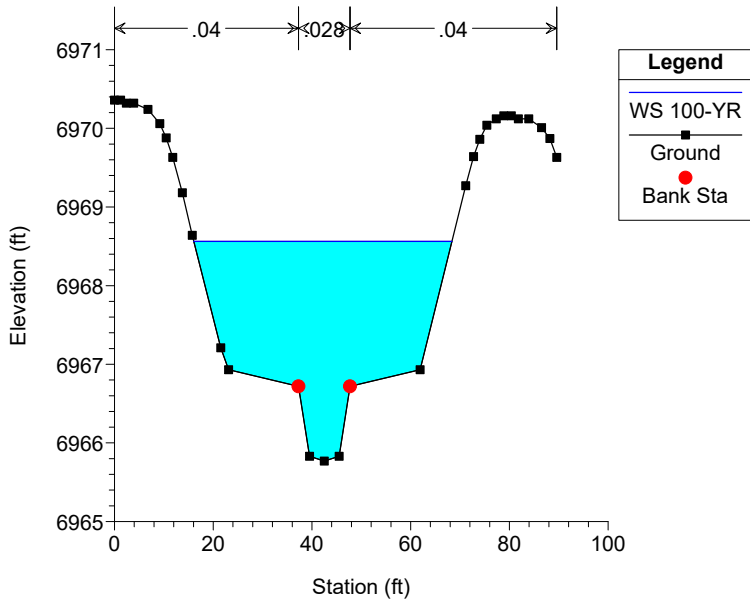
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 3040



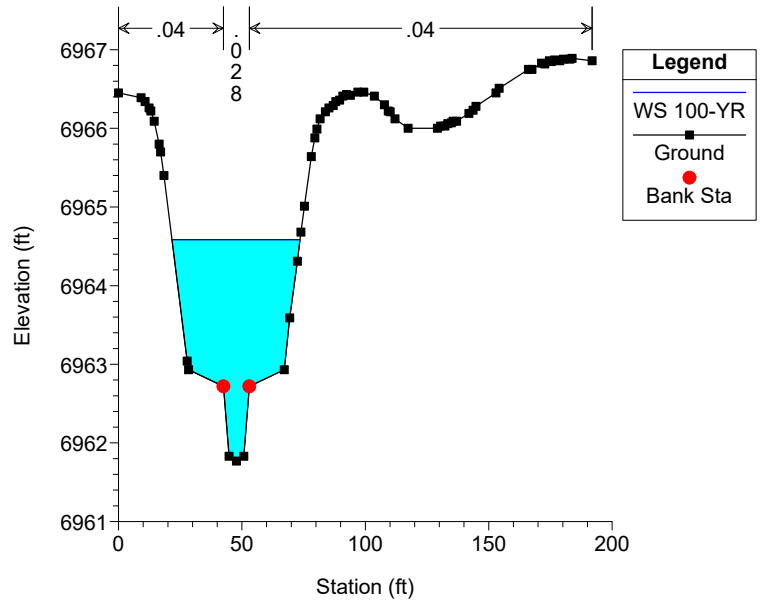
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2715



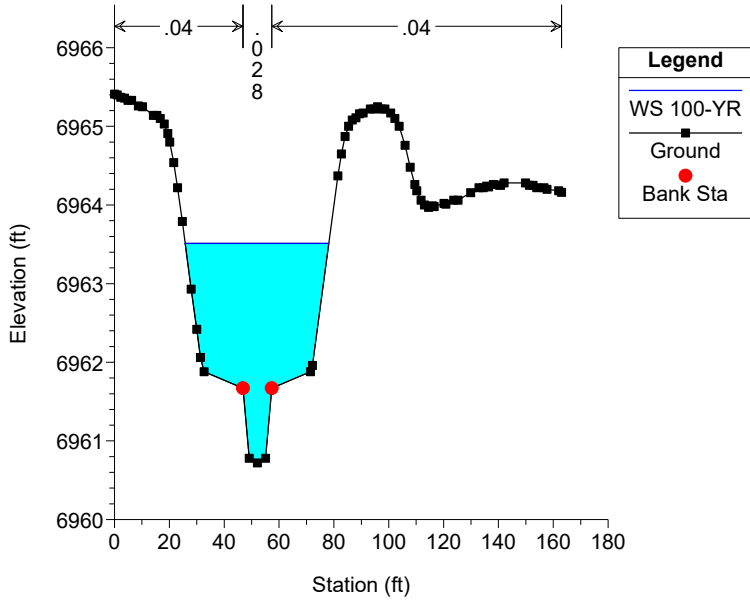
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2675



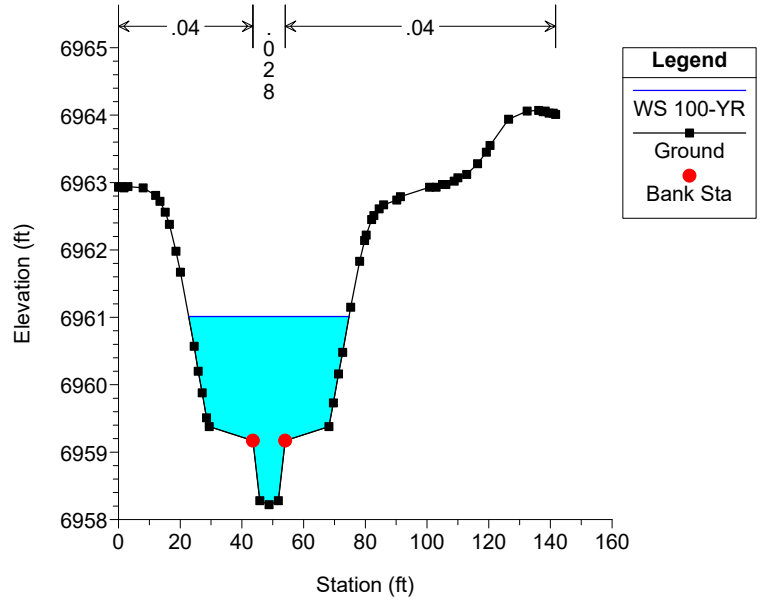
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2570



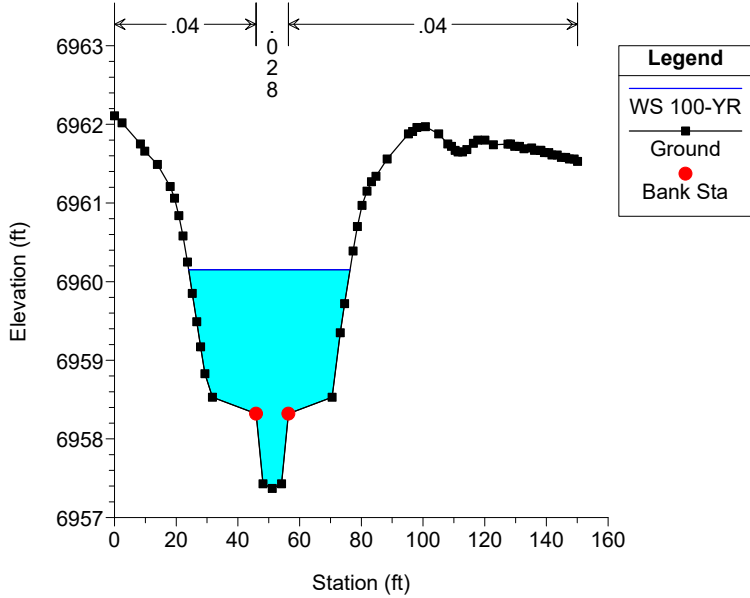
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2545



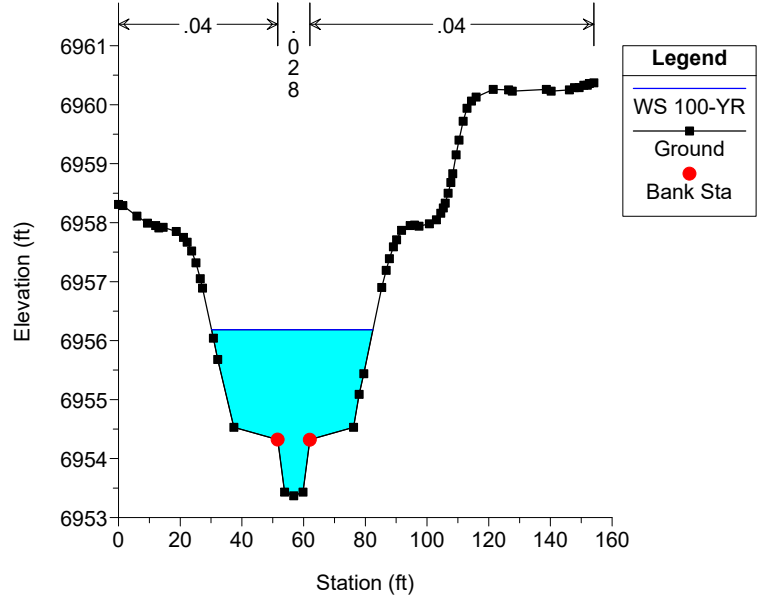
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2460



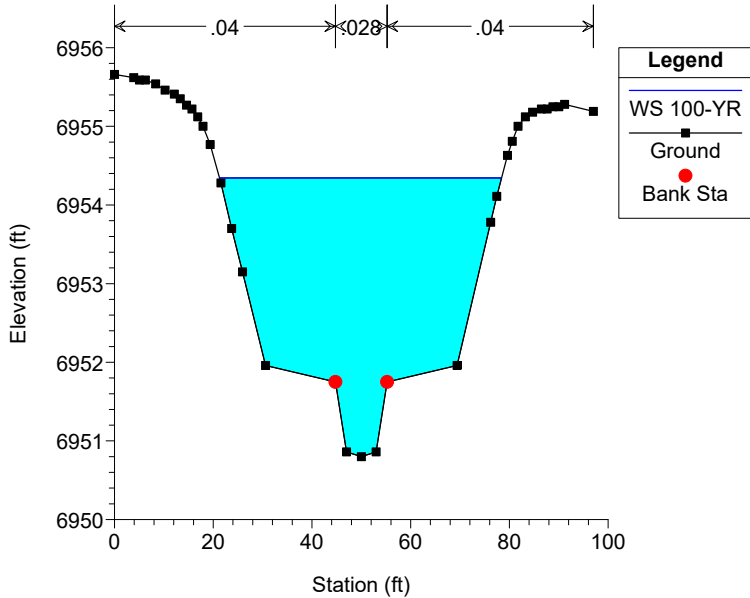
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2420



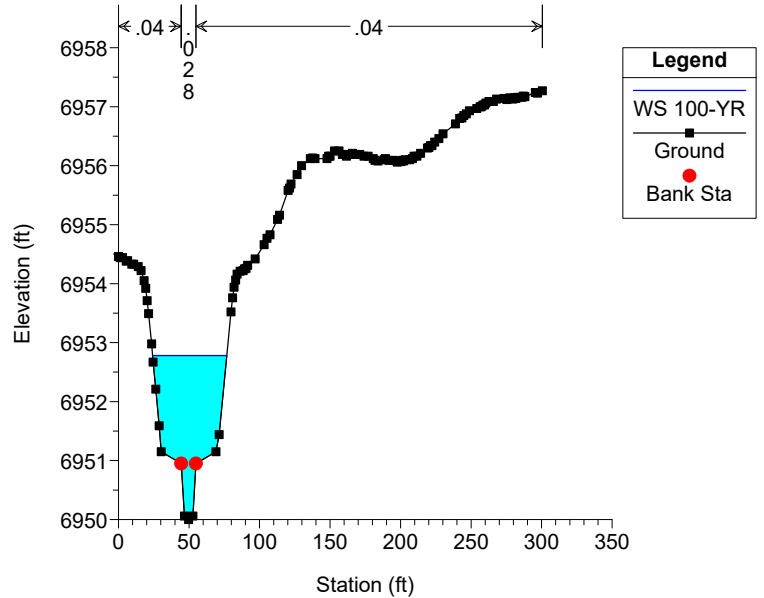
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2260



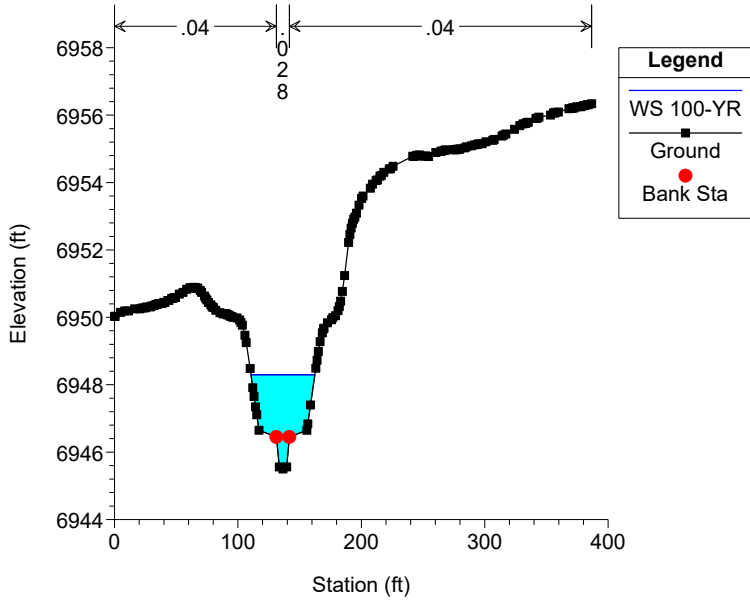
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2045



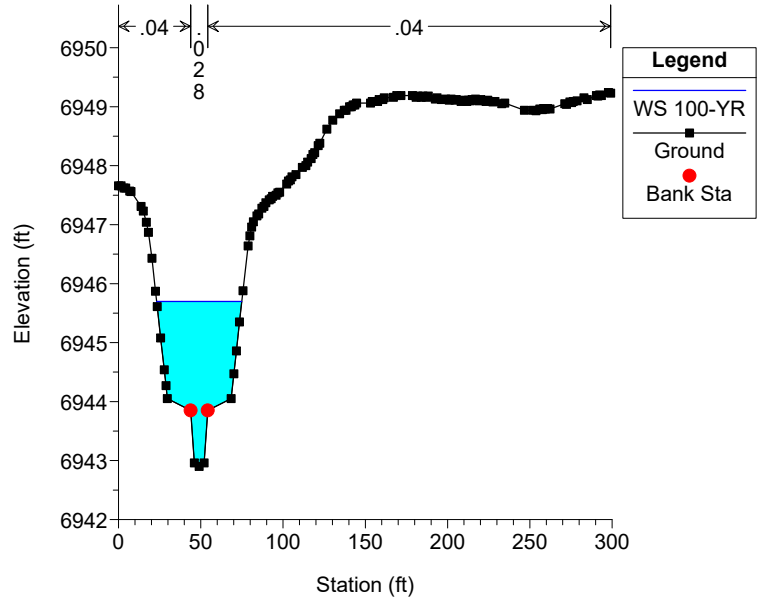
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 2000



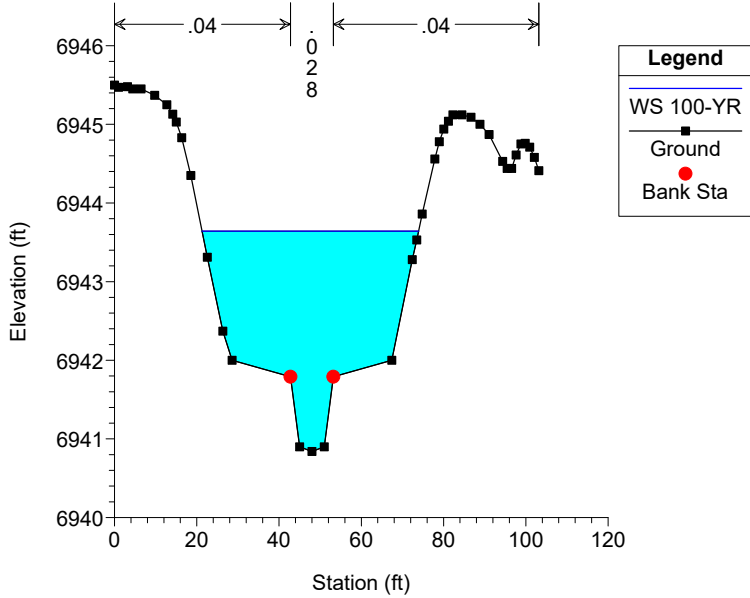
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 1740



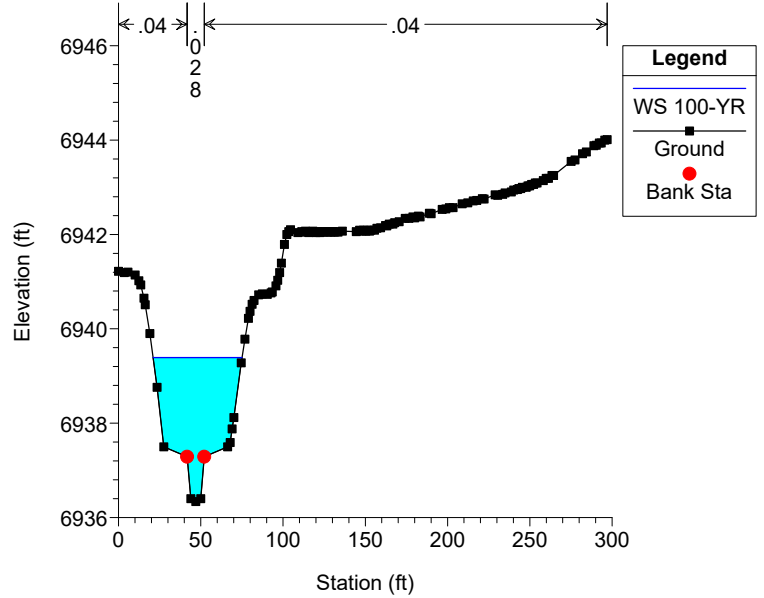
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 1535



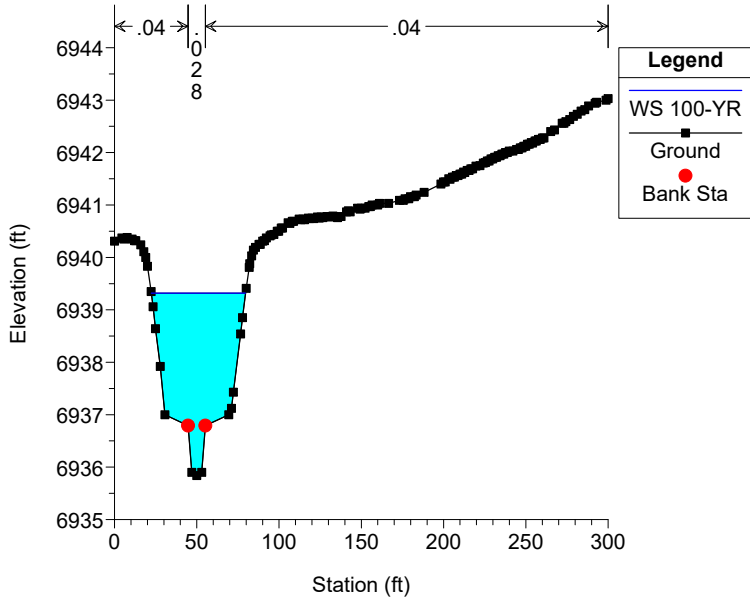
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 1490



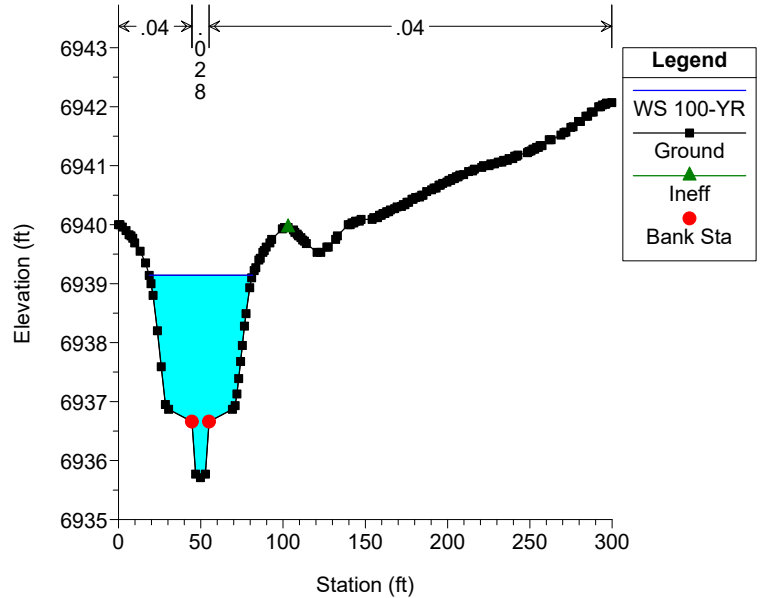
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 1440

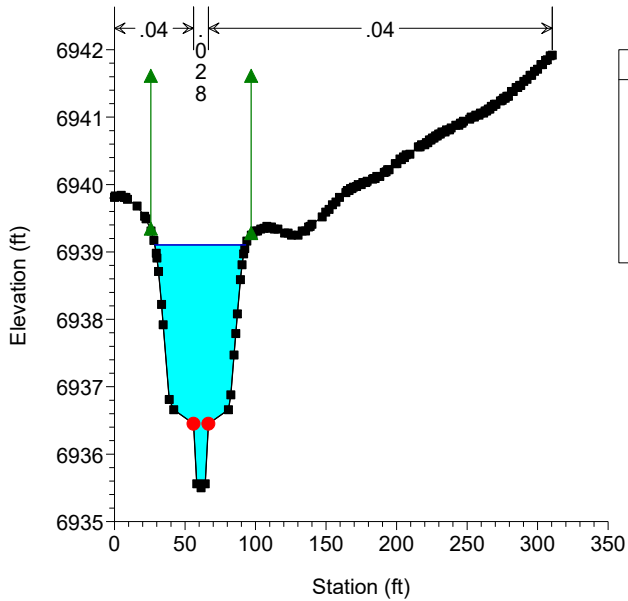


Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

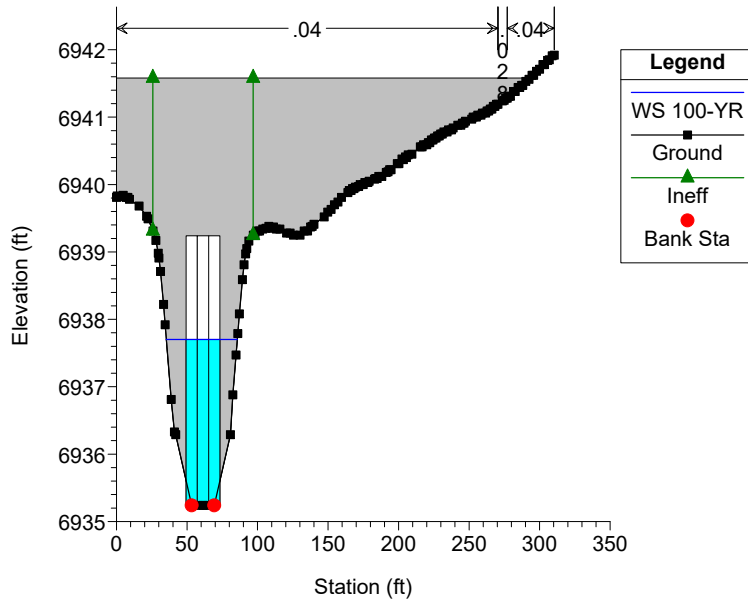
RS = 1385



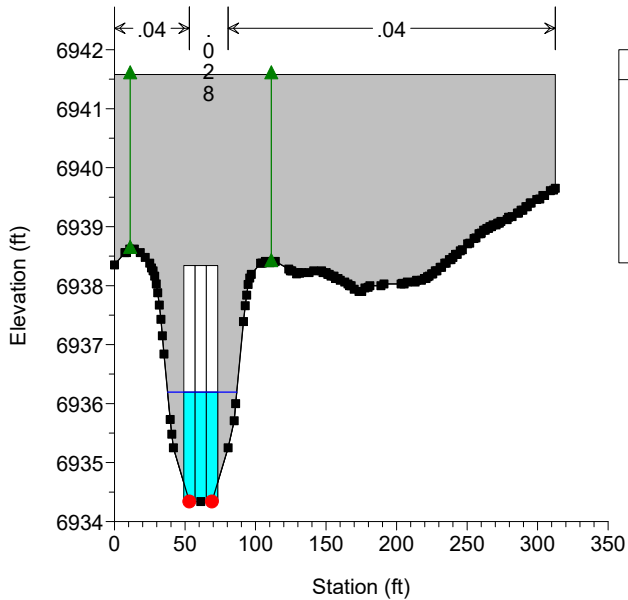
RS = 1364



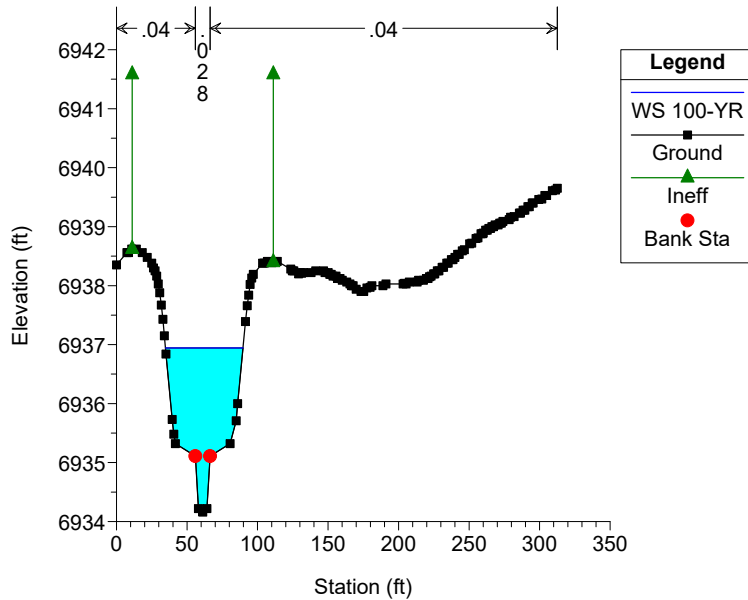
RS = 1335 Culv



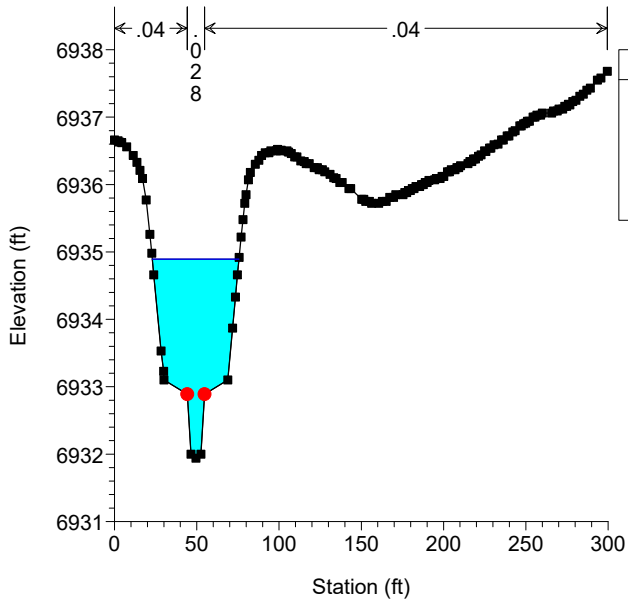
RS = 1335 Culv



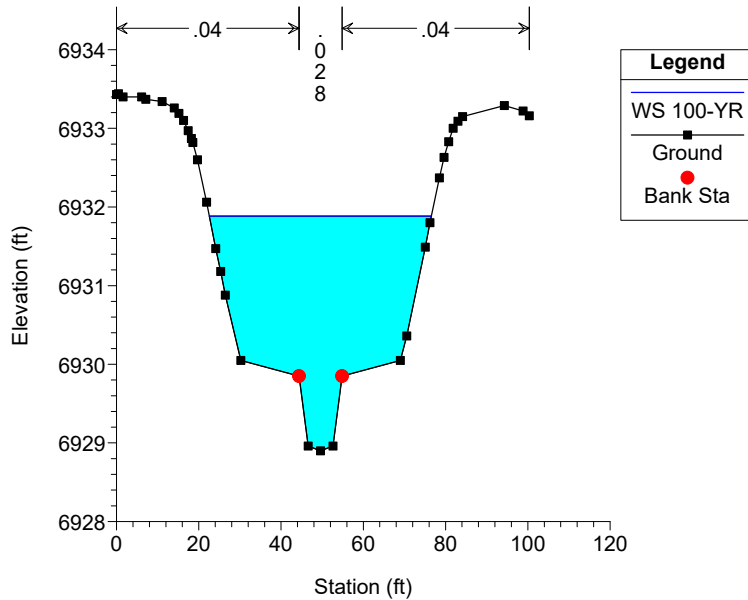
RS = 1230



RS = 1050

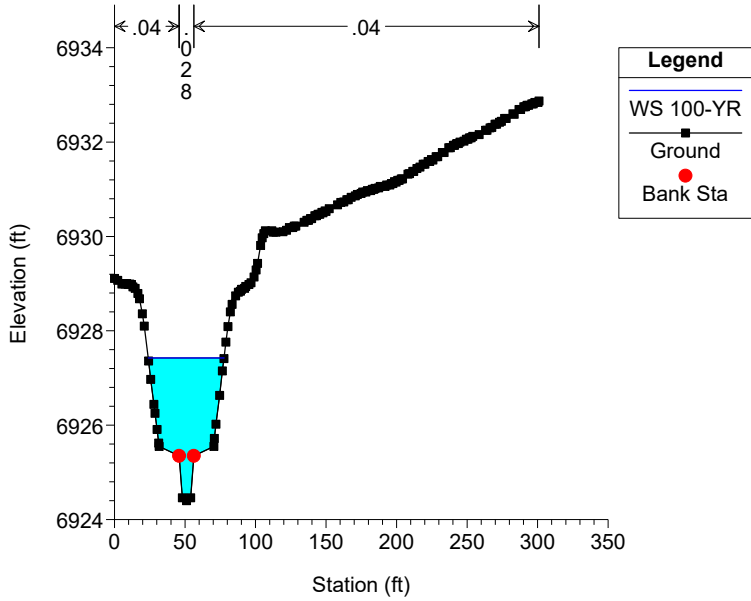


RS = 745



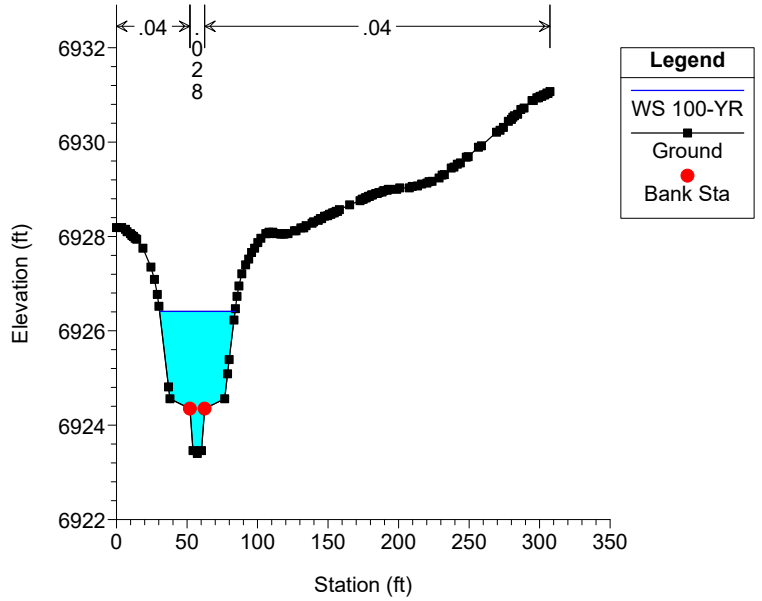
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 700



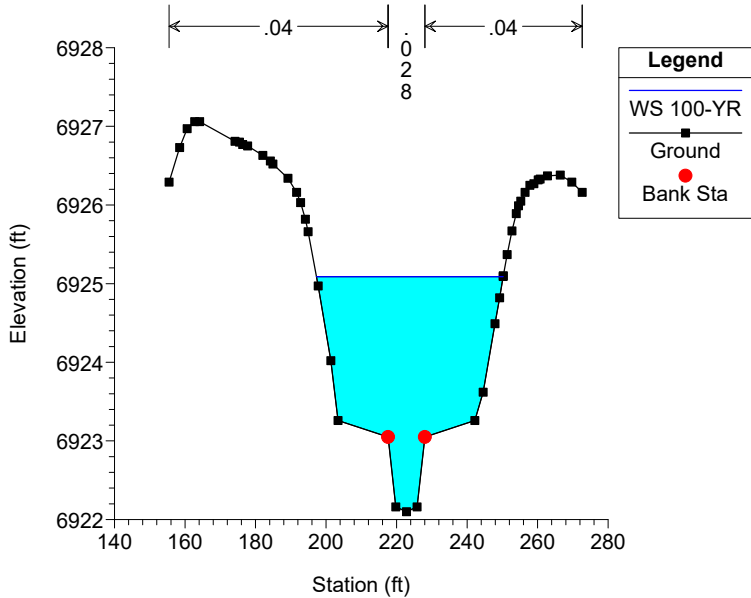
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 590



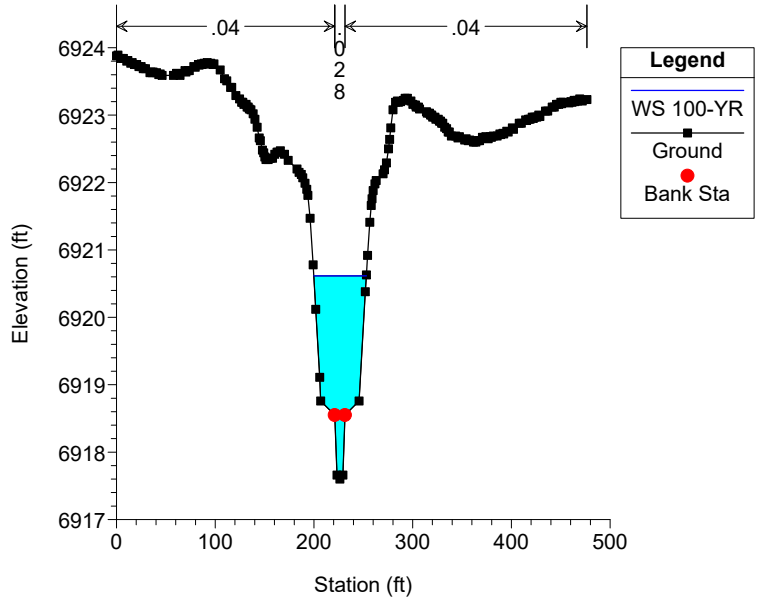
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 445



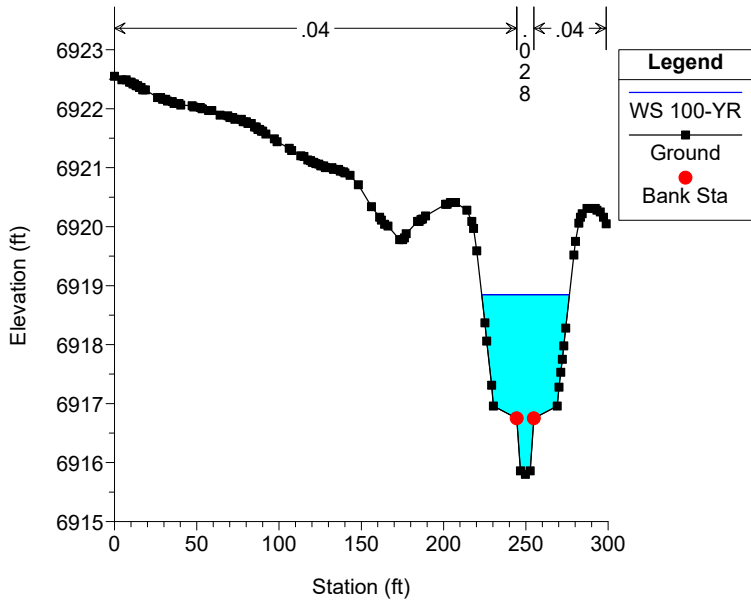
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 400



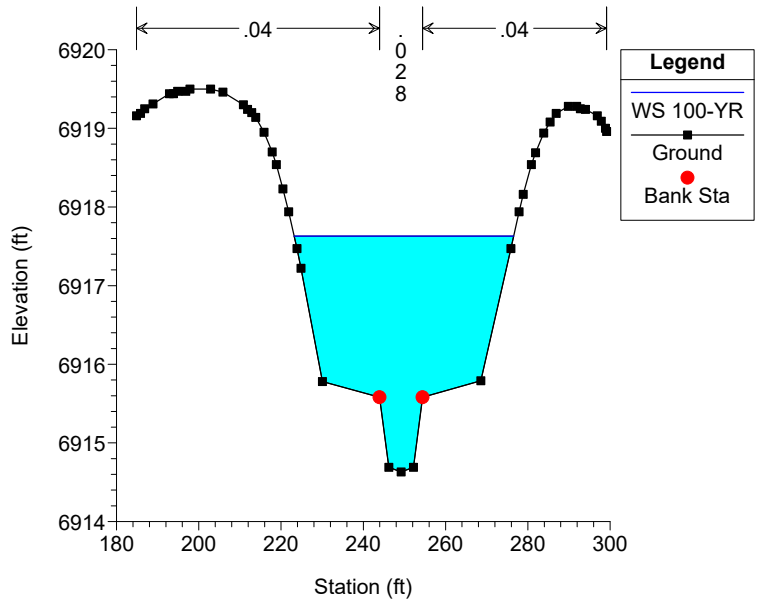
Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

RS = 200

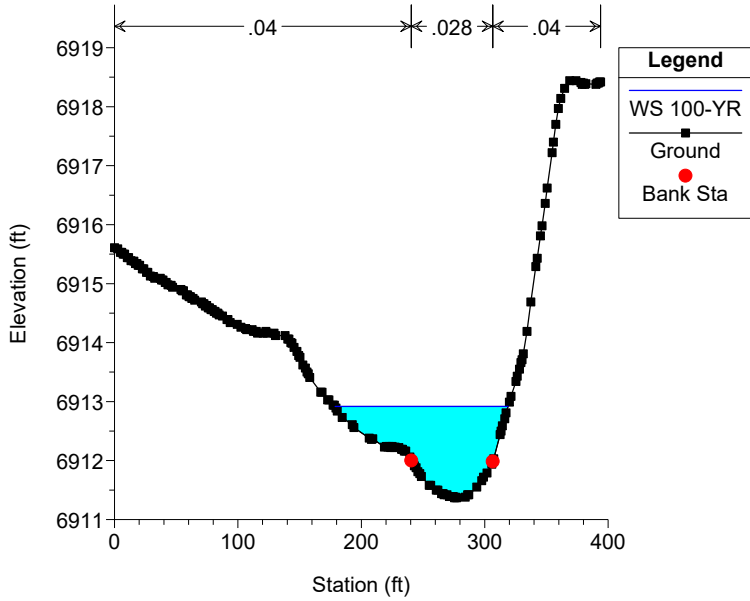


Geick Ranch Tributary 2 Plan: GRT2_Proposed 3/22/2023

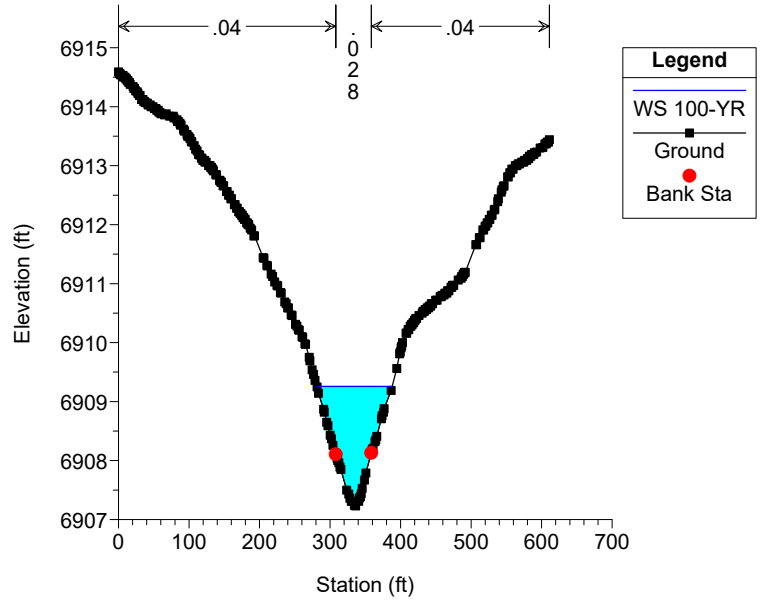
RS = 70.18



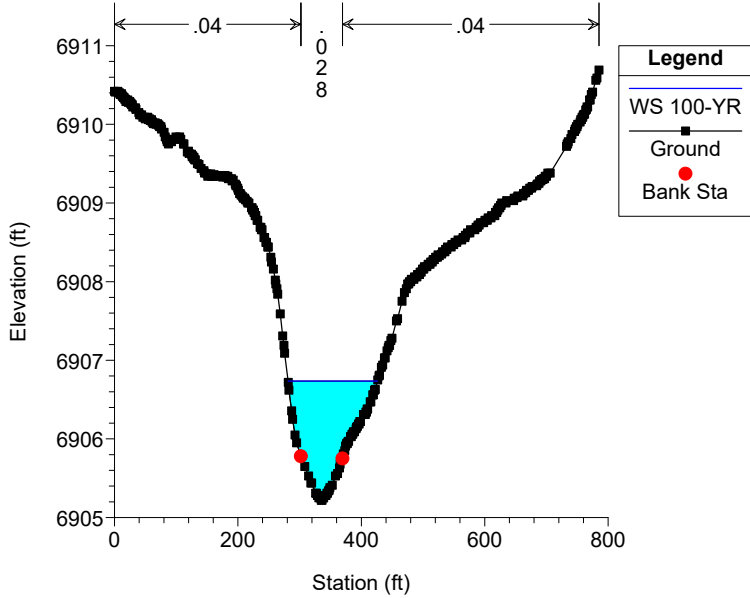
RS = -90.21



RS = -296.57



RS = -530.97



RS = -734.97

